



MEETING OF THE

TEMPLE CITY COUNCIL

MUNICIPAL BUILDING

2 NORTH MAIN STREET

3rd FLOOR – CONFERENCE ROOM

THURSDAY, JANUARY 18, 2018

3:15 P.M.

AGENDA

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, January 18, 2018.
2. Receive an update on the Transportation Capital Improvement Program.
3. Discuss possible lease agreement for the Miller Springs Nature Center.
4. Discuss a grievance filed by the Temple Police Association pursuant to the 2017 Meet and Confer Agreement between the City of Temple and the Temple Police Association.

Executive Session – Texas Government Code Section 551.071, Consultation with Attorney – A governmental body may meet in executive session to seek the advice of its attorney about pending or contemplated litigation.

5. Discuss property acquisitions related to the expansion of Moores Mill Road and Old Howard Road, also known as the Research Parkway project.

Executive Session – Texas Government Code Section 551.072, Deliberation Regarding Real Property – A governmental body may meet in executive session to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

6. Discuss the hiring process, appointment, employment, and duties of the City Manager.

Texas Government Code § 551.074 – The City Council will meet in executive session to discuss the hiring process, appointment, employment, and duties of the City Manager.

5:00 P.M.
MUNICIPAL BUILDING
2 NORTH MAIN STREET
CITY COUNCIL CHAMBERS – 2ND FLOOR
TEMPLE, TX

TEMPLE CITY COUNCIL
REGULAR MEETING AGENDA

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PUBLIC COMMENTS

Citizens who desire to address the Council on any matter may sign up to do so prior to this meeting. Public comments will be received during this portion of the meeting. Please limit comments to three minutes. No discussion or final action will be taken by the City Council.

III. PUBLIC APPEARANCE

3. Receive comments from the Temple Independent School District Superintendent's Student Advisory Council.
4. Receive comments from Mr. Richard Hooverson regarding the possible need for a city ordinance for dogs in restaurants, and interference with customers.

IV. PRESENTATIONS & SPECIAL RECOGNITIONS

5. Presentation by Judge Burrows and Shay Luedeke, Tax Assessor Collector, of the Child Safety Funds collect in the amount of \$80,715.78.

V. REPORTS

6. Receive the Temple Economic Development Corporation Annual Report.
7. Receive the City of Temple Annual Report for fiscal year 2017.

VI. CONSENT AGENDA

All items listed under this section, Consent Agenda, are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda at the request of any Councilmember and will be considered separately.

8. Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:

Minutes

- (A) [December 7, 2017 Special and Regular Meeting](#)

Contracts, Leases, & Bids

- (B) [2018-8997-R](#): Consider adopting a resolution authorizing the purchase of 16 Panasonic Toughbooks and associated hardware for the Police Department from GTS Technology Solutions, Inc. of Dallas, in the amount of \$62,260.16.
- (C) [2018-8998-R](#): Consider adopting a resolution authorizing the purchase of 15 police vehicles from Rockdale Country Ford of Rockdale in the amount of \$656,856.58.
- (D) [2018-8999-R](#): Consider adopting a resolution authorizing the purchase of two easements necessary for the construction of the Shallowford Force Main and authorizing closing costs associated with the purchase, in an estimated amount of \$9,000.
- (E) [2018-9000-R](#): Consider adopting a resolution authorizing the purchase of two rights of way and temporary construction easement necessary for the expansion of Kegley Road Phase II and authorizing closing costs associated with the purchase in an estimated amount of \$30,000.
- (F) [2018-9001-R](#): Consider adopting a resolution ratifying an emergency construction contract with TTG Utilities, LP of Gatesville, in the estimated amount of \$130,000 for waterline repairs.
- (G) [2018-9002-R](#): Consider adopting a resolution authorizing a construction contract with Kraftsman Commercial Playgrounds and Water Parks of Spring, in the amount of \$33,861.75 for the construction of a shade canopy adjacent to the skate park within Miller Park.
- (H) [2018-9003-R](#): Consider adopting a resolution authorizing change order #2 to the Santa Fe Plaza Phase I construction contract with McLean Construction, Inc. of Killeen, in the amount of \$244,417.
- (I) [2018-9004-R](#): Consider adopting a resolution authorizing a construction contract with Lone Star Grading & Materials, LLC, of Salado, in amount not to exceed \$717,702.28 for construction of the Kegley Road & FM 2305 Intersection Improvements.
- (J) [2018-9005-R](#): Consider adopting a resolution authorizing a contract with R.T. Schneider Construction Company, Ltd., of Belton, in the amount of \$6,770,497.11 for construction of Phase 2 of Prairie View Road from FM 2483 to North Pea Ridge Road.
- (K) [2018-9006-R](#): Consider adopting a resolution authorizing a contract amendment to the professional services agreement with Kasberg, Patrick & Associates, LP, in an amount not to exceed \$313,000 for professional services required to provide construction administration and onsite representation for Phase 2 of Prairie View Road from North Pea Ridge Road to FM 2483.

- (L) [2018-9007-R](#): Consider adopting a resolution authorizing an Advanced Funding Agreement Amendment with the State of Texas (Texas Department of Transportation) to fund the additional construction costs for the extension of South First Street as part of the Spur 290 and Loop 363 project in an amount not to exceed \$1,744,805.
- (M) [2018-9008-R](#): Consider adopting a resolution authorizing an Advanced Funding Agreement with the State of Texas (Texas Department of Transportation) to fund construction costs for the South 31st Street Sidewalks utilizing a City project contribution of \$415,000.
- (N) [2018-9009-R](#): Consider adopting a resolution authorizing a professional services agreement with MRB Group of Temple, in the amount of \$48,080 for the design services needed to construct facility improvements at Mercer Softball Complex.
- (O) [2018-9010-R](#): Consider adopting a resolution authorizing an agreement with Atmos Energy, in the amount of \$34,360 for the termination of natural gas lines in the Martin Luther King Jr. Festival Fields project location.
- (P) [2018-9011-R](#): Considering adopting a resolution authorizing an Economic Development Agreement with Lane Enterprises, Inc.
- (Q) [2018-9012-R](#): Consider adopting a resolution authorizing the engagement of Naman, Howell, Smith & Lee, PLLC for legal services.
- (R) [2018-9013-R](#): Consider adopting a resolution authorizing a lease agreement between the City of Temple, City of Belton, and the US Army Corp of Engineers for the Miller Springs Nature Center.

Ordinances – Second & Final Reading

- (S) [2017-4883](#): SECOND READING: Consider adopting an ordinance amending ordinance 2017-4842 to authorize City Manager approval of a number of economic development incentives for neighborhood revitalization in the East Temple area.
- (T) [2017-4884](#): SECOND READING: Consider adopting an ordinance to include a Special Operations Team certification pay for qualified Firefighters in the Fire Department.
- (U) [2017-4885](#): SECOND READING: Consider adopting an ordinance authorizing an amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to appropriate additional funding for TMED South 1st Street in FY 2018.
- (V) [2017-4886](#): SECOND READING: Consider adopting an ordinance designating a tract of land consisting of approximately 21.193 acres and located at 2114 Trino Road in Temple, as City of Temple Tax Abatement Reinvestment Zone Number 36 for commercial/industrial tax abatement.

Misc.

- (W) [2018-9014-R](#): Consider adopting a resolution authorizing the rejection of the bid received for the Summit Recreation Center Vestibule Construction on November 16, 2017.

- (X) [2018-9015-R](#): Consider adopting a resolution authorizing the submission of an application for funding from the National Recreational Trails Fund through Texas Parks and Wildlife under the approval of the Federal Highway Administration, in the amount of \$250,000, with \$200,000 reimbursed to the City through federal funding, to extend and enhance Friar's Creek Trail to the north, and ultimately connect to 5th Street.
- (Y) [2018-9016-R](#): Consider adopting a resolution authorizing an updated building permit fee schedule for permits processed through the City of Temple Permits Office and authorizing the City Manager to establish an effective date for the updated schedule.
- (Z) [2018-9017-R](#): Consider adopting a resolution accepting the dedication of a 1.347 acre tract, currently operating as a private street known as Westgate Drive, to the City of Temple for use as public right of way and designating the right of way as Midtown Lane.
- (AA) [2018-9018-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2017-2018.

VII. REGULAR AGENDA

ORDINANCES – FIRST READING

- 9. [2018-4887](#): FIRST READING - Z-FY-18-03: Consider adopting an ordinance authorizing the rezoning of a 1.49 +/- acre tract of land from Planned Development Multiple-Family Dwelling 1 to Neighborhood Service, located at the northeast corner of South Martin Luther King Jr. Drive and Case Road, addressed as 2945 South Martin Luther King Jr. Drive.
- 10. [2018-4888](#): FIRST READING – Z-FY-18-04: Consider adopting an ordinance authorizing a rezoning from Planned Development Single Family Dwelling 3 and Agricultural zoning districts to Planned Development-Single Family Attached 3 with a site development plan on 2.50 +/- acres, situated in the Maximo Moreno, Abstract No. 14, Bell County, Texas, located on East Avenue N, west of 38th Street and Hope Street, and addressed as 1880 East Avenue N and 1921 Hope Street.
- 11. Consider adopting ordinances:
 - (A) [2018-4889](#): FIRST READING – Z-FY-18-05: Consider adopting an ordinance rezoning from Commercial to Multi-Family Two on 16.127 +/- acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located South of Loop 363, West of South 5th Street, and East of Lowe's Drive.
 - (B) [2018-4890](#): FIRST READING – Z-FY-18-06: Consider adopting an ordinance rezoning from Commercial to Multi-Family Two on 15.931 +/- acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located South of Loop 363, West of South 5th Street, and East of Lowe's Drive.
 - (C) [2018-4891](#): FIRST READING – Z-FY-18-07: Consider adopting an ordinance rezoning from Commercial to Multi-Family Two on 3.00 +/- acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located South of Loop 363, West of South 5th Street, and East of Lowe's Drive.

ORDINANCES – FIRST READING/PUBLIC HEARING

12. **2018-4892:** FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing the Temple Youths' Program Standards of Care.
13. **2018-4893:** FIRST READING – PUBLIC HEARING: Consider adopting an ordinance amending the number of positions in the Police Department Deputy Chief classification and the Police Officer Classification.
14. **2018-4894:** FIRST READING – PUBLIC HEARING - Z-FY-18-01: Consider adopting an ordinance authorizing a Conditional Use Permit for a proposed wireless telecommunications facility, including a new 100-foot monopole tower, being a part of a 3.103 +/- acre tract of land out of the McKinney and Williams Survey, Abstract No. 609, Bell County, Texas, located at 1402A Commerce Street.
15. **2018-4895:** FIRST READING - PUBLIC HEARING - A-FY-18-01: Consider adopting an ordinance authorizing an abandonment and conveyance of approximately .08 acres of the 35 foot wide ROW along the last 99 feet of Katy Street south of Downs Avenue where it dead-ends into the Hilliard Distributing property in the Moore's Park Addition, City of Temple, Bell County, Texas.

RESOLUTIONS

16. **2018-9019-R:** Consider adopting a resolution approving a Tax Abatement Agreement with Palladio Industries, Inc. which will cover increases in the taxable value of real property on an approximately 21.193 acre tract of land located at 2114 Trino Road, Temple, Texas and within Tax Abatement Reinvestment Zone Number 36.
17. **2018-9020-R:** Consider adopting a resolution authorizing a Development Agreement with Habitat for Humanity for fee waivers and cost share participation in public improvements in support of the Homeless Veterans Community Project located at 1880 East Avenue N and 1921 Hope Street.
18. **2018-9021-R:** Consider adopting a resolution appointing Brynn Myers as City Manager and setting compensation for the position.

The City Council reserves the right to discuss any items in executive (closed) session whenever permitted by the Texas Open Meetings Act.

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 12:20 pm, on Monday, January 15, 2018.



City Secretary, TRMC

SPECIAL ACCOMMODATIONS: *Persons with disabilities who have special communication or accommodation needs and desire to attend this meeting should notify the City Secretary's Office by mail or telephone 48 hours prior to the meeting date.*

I certify that this Notice of Meeting Agenda was removed by me from the outside bulletin board in front of the City Municipal Building on _____ day of _____ 2018.

Title



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #3
Regular Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Daniel A. Dunn, Mayor

ITEM DESCRIPTION: Receive comments from the Temple Independent School District Superintendent's Student Advisory Council.

STAFF RECOMMENDATION: Receive comments as presented in item description.

ITEM SUMMARY: Dr. Battershell requested the opportunity to introduce the Temple Independent School District Superintendent's Student Advisory Council.

FISCAL IMPACT: None

ATTACHMENTS: None



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Daniel A. Dunn, Mayor

ITEM DESCRIPTION: Receive comments from Mr. Richard Hooverson regarding the possible need for a city ordinance for dogs in restaurants, and interference with customers.

STAFF RECOMMENDATION: Receive comments as presented in item description.

ITEM SUMMARY: Mr. Hooverson submitted a Request for Placement on the City Council Agenda, please see attached the forms.

FISCAL IMPACT: None

ATTACHMENTS:

[Request for placement on agenda](#)



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #8(A)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

(A) December 7, 2017 Special and Regular Meetings

STAFF RECOMMENDATION: Approve minutes as presented in item description.

ITEM SUMMARY: Copies of minutes are enclosed for Council review.

FISCAL IMPACT: N/A

ATTACHMENTS:

[December 7, 2017 Special and Regular Meetings
Video](#)

TEMPLE CITY COUNCIL

DECEMBER 7, 2017

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, December 7, 2017 at 3:30 PM, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

PRESENT:

Mayor Daniel A. Dunn
Mayor Pro-Tem Timothy Davis
Councilmember Susan Long
Councilmember Judy Morales
Councilmember Michael Pilkington

- 1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, December 7, 2017.**
- 2. Receive an update regarding Parks Bond Projects.**

Kevin Beavers provided a presentation regarding Parks Bond Projects. He also stated that there are two projects per the Bond that they secured the land and purchased, which is Prairie Park and Southwest Community Park. There was also discussion regarding the MLK Festival Fields Project and how the City hopes to have it complete in time for the Blooming Festival.

- 3. Receive an update on the sale of the General Obligation Refunding Bonds, Series 2017.**

Traci Barnard provided council with a presentation on the sale of the General Obligation Refunding Bonds, Series 2017. She also discussed the reasoning for limiting the net value of the savings. Plus, informed the Council of the savings for the City in selling the General Obligation Refunding Bonds, Series 2017.

- 4. Discussion about proposed Temple Medical and Educational District (TMED) Code Amendments and TMED South rezoning.**

Brian Chandler provided a presentation to Council.

He stated that the City is moving forward with TMED code amendments and wanted to discuss TMED South Master Plan, city initiated rezoning effort to establish TMED South. He went over the TMED background, proposed Code Amendments in TMED and TMED South, proposed City-initiated rezoning, and the timeline. The TMED vision is to have mixed land

use, pedestrian orientation, create visual interest, enjoyment of the outdoors, and usher in new growth and revitalization.

Mayor Dunn thanked Brian for all the work they have put into this plan.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, December 7, 2017 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Councilmember Susan Long
Mayor Pro Tem Timothy Davis
Councilmember Mike Pilkington
Councilmember Judy Morales
Mayor Daniel A. Dunn

I. CALL TO ORDER

1. Invocation

Michael Van Huis, The Vine Church provided the invocation.

2. Pledge of Allegiance

Alan Deloera, Director of Information Technology led the pledge of allegiance.

II. PUBLIC COMMENTS

Brian Vanicek, 6505 Springwood CT, addressed the Council in regards to the realignment of US Hwy 190.

Bruce Leonhardt, 4141 Lucius McCelvey Rd, addressed the Council regarding his concerns with item EE on the consent agenda, authorizing a rezoning from Light Industrial to Heavy Industrial zoning district and a Conditional Use Permit to allow a chemical manufacturing plant.

III. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. Recognition of the Corporate Challenge Division winners.

Kevin Beavers recognized the Corporate Challenge Division winners and presented them with a trophy.

IV. CONSENT AGENDA

4. Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:

(A) November 16, 2017 Special and Regular Meeting

(B) 2017-8957-R: Consider adopting a resolution authorizing the purchase of portable radios for the Police, Public Works and Parks Department from Dailey Wells Communications Inc. of San Antonio, in the amount of \$455,891.

(C) 2017-8958-R: Consider adopting a resolution authorizing the purchase of the WebRMS Warrants Interface with Intergraph Corporation, dba Hexagon Safety & Infrastructure of Madison, AL, in the amount of \$33,820.

(D) 2017-8959-R: Consider adopting a resolution authorizing the purchase of computer hardware during FY 2018 from GovConnection, Inc., of Merrimack, NH, in the estimated annual amount of \$211,000.

(E) 2017-8960-R: Consider adopting a resolution authorizing the purchase of storage area network, implementation and disaster recovery services from SPS VAR, LLC of Atlanta, GA in the amount of \$51,439.

(F) 2017-8961-R: Consider adopting a resolution authorizing a contract with Grande Communications Networks LLC, of Dallas, in the amount of \$75,000 for high-speed data services to eight City Facilities.

(G) 2017-8962-R: Consider adopting a resolution authorizing a construction contract with The Levy Company, Inc. of Selma, in the amount of \$386,891.26 for the construction of traffic signals at Airport Road (SH36) & Kegley Road and West Adams Avenue & Greenview Drive.

(H) 2017-8963-R: Consider adopting a resolution authorizing a contract with Choice Builders, LLC, of Temple, in an amount not to exceed \$705,687.90 to construct the Conner Park drainage channel improvements.

(I) 2017-8964-R: Consider adopting a resolution authorizing a demolition contract with Sierra Contracting Corporation of Round Rock in the amount of \$48,400 for the demolition of 11 residential structures funded through the Community Development Block Grant.

(J) 2017-8965-R: Consider adopting a resolution authorizing change order #2 to a contract with Skyblue Utilities, Inc. of Gatesville, in an amount not to exceed \$24,393.86 for

construction of the North 5th Street to Jackson Creek Utility Replacement Project.

(K) 2017-8966-R: Consider adopting a resolution authorizing deductive change order #8 to the contract with TTG Utilities, LP, of Gatesville in the amount of \$173,617.34 for construction of Avenue U & the 13th Street Connector.

(L) 2017-8967-R: Consider adopting a resolution authorizing change order #1 to the construction contract with S.J. Louis Construction of Texas, Ltd., of San Antonio in the amount of \$81,719.88 for the Leon River Sewer project.

(M) 2017-8968-R: Consider adopting a resolution authorizing a one-year renewal to a construction contract for the street overlay program for FY2018 with Oldcastle Materials Texas, Inc. of Cedar Park, in an estimated annual amount of \$2,817,797.

(N) 2017-8969-R: Consider adopting a resolution authorizing a construction contract with R.T. Schneider Construction Company, LLC of Belton, in the amount of \$806,872.75 for the construction of Martin Luther King Jr. Festival Fields.

(O) 2017-8970-R: Consider adopting a resolution authorizing a construction contract with Wright Builders, of Temple, in the amount of \$2,099,564 for the construction of four buildings at Crossroads Park.

(P) 2017-8971-R: Consider adopting a resolution authorizing a construction contract with Sports Field Holdings, dba Sports Field Solutions, of Dallas, in the amount of \$2,300,058.84 for the construction of the landscaping component of Crossroads Park.

(Q) 2017-8972-R: Consider adopting a resolution authorizing a contract amendment to the professional services agreement with Langerman Foster Engineering Company, LLC of Waco in the amount of \$88,533 for construction material testing services at Crossroads Park.

(R) 2017-8973-R: Consider adopting a resolution authorizing a contract amendment to the professional services agreement with Kasberg, Patrick & Associates, LP of Temple, in the amount of \$43,700 to provide bidding and construction phase services on the Martin Luther King Jr. Festival Field project.

(S) 2017-8974-R: Consider adopting a resolution authorizing a one-year renewal to a facility user's agreement with Justice Enterprise of Belton for the operation of the Lions Park Softball

Complex concession stand with a usage fee paid to the City in the amount of \$150 per month.

(T) 2017-8975-R: Consider adopting a resolution authorizing a discretionary service agreement with Oncor Electric Delivery Company, LLC of Temple in the amount of \$50,912.15 for the relocation of electrical services for the Santa Fe Plaza project.

(U) 2017-8976-R: Consider adopting a resolution ratifying an agreement for yearly service through AT&T Corporation, of Dallas, in the amount of \$105,000 for voice, data and internet services.

(V) 2017-8977-R: Consider adopting a resolution authorizing a two-year professional services agreement with McGriff, Seibels & Williams, Inc. of Addison, in the annual amount of \$75,000 for employee benefits consulting services.

(W) 2017-8978-R: Consider adopting a resolution authorizing a professional services agreement with Perkins Engineering Consultants, Inc. of Arlington, in an amount not to exceed \$165,954 for the redevelopment of Technically Based Local Limits for Doshier Farm Wastewater Treatment Facility.

(X) 2017-8979-R: Consider adopting a resolution authorizing a dedicated access services agreement with Spectrum in the amount of \$51,000.

(Y) 2017-8980-R: Consider adopting a resolution authorizing an agreement with MRB Group of Temple, in the amount of \$503,100 for professional services required to design and bid improvements to North Pea Ridge Road from West Adams Avenue to Prairie View Road.

(Z) 2017-8981-R: Consider adopting a resolution authorizing a development agreement through the Infill Redevelopment Incentive Program with Patco Construction for fee waivers and release of liens for five properties.

(AA) 2017-8982-R: Consider adopting a resolution authorizing 8 lease agreements for the lease of City-owned property for agricultural use.

(BB) 2017-8983-R: Consider adopting a resolution authorizing an airport hangar lease agreement with Temple Aero Club, LLC in the amount of \$600 per month for the use of Building #24 at the Draughon-Miller Central Texas Regional Airport.

(CC) 2017-8984-R: Consider adopting a resolution authorizing the renewal of the Emergency Management Performance Grant for FY2017, in the amount of \$36,713.79 which funds a portion of the administration cost for Emergency Management for the City of Temple.

(DD) 2017-8985-R: Consider adopting a resolution authorizing the acceptance of grant funds in the amount of \$6,803.02 from the Bureau of Justice Assistance Bulletproof Vest Partnership Program of 2017 for the purchase of ballistic vests and replacements for the Police Department, with \$6,803.02 of required City matching funds

(EE) 2017-4882: SECOND READING - Z-FY-17-45: Consider adopting an ordinance authorizing a rezoning from Light Industrial to Heavy Industrial zoning district and a Conditional Use Permit to allow a chemical manufacturing plant on Lot 1, Block 1, Temple Industrial Park, Section 26 addressed as 2114 Trino Road.

(FF) 2017-8986-R: Consider adopting a resolution authorizing submission of a Sanitary Sewer Overflow Outreach Program to the Texas Commission on Environmental Quality.

(GG) 2017-8987-R: Consider adopting a resolution authorizing payment of the TCEQ Water System Fee to the Texas Commission on Environmental Quality for operations of Temple's water treatment plant in the amount of \$83,349.

(HH) 2017-8988-R: Consider adopting a resolution authorizing the acceptance of grant funding through the Anice Read Fund of Communities Foundation of Texas in the amount of \$4,200 for the Downtown Art Train project.

(II) 2017-8989-R: Consider adopting a resolution granting two easements to Oncor Electric Delivery Company, LLC for Electric Utilities necessary for the construction of Crossroads Park.

(JJ) 2017-8990-R: A-FY-18-03: Consider adopting a resolution authorizing release of a 15-foot wide public utility easement encompassing a 0.222 +/- acre tract of land within the 32.02 +/- acre tract described in a Warranty Deed to RTC Construction, Ltd., recorded as Document No. 2013-00028522, located generally at 2566 Old Waco Road.

(KK) 2017-8991-R: Consider adopting a resolution authorizing the rejection of the bid received for the LoanSTAR Facility Lighting Replacement project on November 21, 2017.

(LL) 2017-8992-R: Consider adopting a resolution authorizing the rejection of the bid received for the LoanSTAR Facility HVAC Replacement project on November 21, 2017.

(MM) 2017-8993-R: Consider adopting a resolution approving the annual report of the Tax Increment Financing Reinvestment Zone No. 1 for fiscal year 2016-2017.

(NN) 2017-8994-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2017-2018.

Motion by Councilmember Judy Morales to approve the Consent Agenda as presented, seconded by Councilmember Mike Pilkington.

Motion passed unanimously.

V. REGULAR AGENDA

RESOLUTIONS

5. 2017-8995-R: P-FY-17-64 & A-FY-17-13: Consider adopting resolutions:

(a) Approving the Final Plat of Santa Fe Plaza West, Phase II, a 0.701 +/- acre, 1 lot, 1 block, non-residential subdivision, being a replat of the Santa Fe Plaza West subdivision, situated between West Avenue A, West Avenue B, South 9th Street & South 7th Street, Temple, Texas;

(b) Authorizing abandonment of portions of a service alleyway originally dedicated within the Original Town of Temple subdivision plat; and

(c) Authorizing abandonment of portions of public rights-of way dedicated as West Avenue A and West Avenue B, within the Original Town of Temple subdivision plat.

Mark Baker provided a presentation to the council.

He stated that the Planning & Zoning Commission voted eight to zero to recommend approval of the final plat of Santa Fe Plaza West, Phase II at their November 6, 2017 meeting. While it was

discussed during the meeting, no separate action was required or taken regarding the companion case for the abandonment of street rights-of-way or alleyway.

The Final Plat of Santa Fe Plaza West, Phase II is a replat of the Santa Fe Plaza West non-residential subdivision plat. The replat is comprised of one block with one lot approximately 0.074 +/- acre (3,250 square feet). The one lot is being incorporated into the original 9 lot subdivision. This replat was anticipated at the time the initial Santa Fe Plaza West subdivision was approved by City Council by Resolution in January 2017.

The original Santa Fe Plaza West subdivision was key to the implementation of the Santa Fe Plaza Master Plan as well as for the redevelopment of this City-owned property. The original plat was also the first step for the relocation of several key organizations and their administrative offices, which include the Temple Chamber of Commerce, Temple Economic Development Corporation and the Temple Independent School District. The City Council-approved Master Plan for the Santa Fe Plaza contains sidewalk and other pedestrian amenities. Accommodations for the sidewalk and pedestrian amenities will be shown on the building plans in conformance to the approved Master Plan. The Development Review Committee reviewed the replat for Phase II on September 7, 2017. It was deemed administratively complete on October 23, 2017.

The property is currently zoned Central Area district. The CA district principally addresses development in the Central Business District of the City, allowing most commercial, retail and office uses. Maximum building height may be any legal limit that other laws and ordinances do not prohibit. Sewer is available to the entire Santa Fe Plaza West subdivision by 18-inch wastewater lines in both West Avenue A & West Avenue B. Additional availability is from several existing utility easements located within public alleyways. Water is available through either an existing 12-inch waterline in West Avenue A or an eight inch waterline in West Avenue B. Additional availability is from a 12-inch waterline in South 11th Street, a six inch waterline in South 9th Street or an eight inch waterline in South 5th Street as well as waterlines within several utility easements.

Mr. Baker stated that the replat, as proposed, requires abandonment of approximately 0.157 +/- acres (6838.92 square feet) of right-of-way and alleyway of the following:

1. Portions of West Avenue A,
2. Portions of West Avenue B, and

3. Alleyway in Block 25, Original Town of Temple

Outside utility providers as well as the City of Temple Public Works Department have been notified of the proposed abandonment. No issues have been identified. Public Works is in agreement with the abandonments as proposed. As the case with the initial Santa Fe Plaza West subdivision, abandonment of alleyway and ROW accompanied the final plat and was approved by City Council by Resolution 2017-8524 in January 2017.

Mr. Baker also stated that since this is a replat which does not vacate the underlying subdivision plat, per UDC Section 3.7, a public hearing is required. However, since this a non-residential plat and property owner notification is not required, out of an abundance of caution, a 15-day notice of the public hearing was provided on November 19, 2017 in accordance with local ordinance and state statute.

Motion by Mayor Pro Tem Timothy Davis to adopt resolution as presented, seconded by Councilmember Susan Long.

Motion passed unanimously.

6. **2017-8996-R: Consider adopting a resolution authorizing a Chapter 380 Development Agreement with Caelum Altus IV, LLC in an amount not to exceed \$115,000 for improvements to property located at 17 East Central Avenue within the Downtown Strategic Investment Zone corridor.**

Ashley Williams, Director of General Services, presented this item to the Council.

She stated that the proposed resolution would allow the City Manager to enter into a Chapter 380 Development Agreement with Caelum Altus IV, LLC, through which the City would provide a SIZ 1:1 matching grant of up to a total of \$115,000 for program allowable building improvements. This overall project has a total capital investment of \$1,176,509.

The applicant requested funding under Tier III of the SIZ program, based on a total project investment of over \$500,000. Grant eligible activities related to façade, sidewalk, life safety and elevator improvements, and asbestos abatement total \$642,785. Therefore, the project is eligible for the maximum amount of City match of \$115,000. The City will also waive permitting fees, upon contract execution.

Ms. Williams stated that in order to receive grant funding, the applicant must enter into a development agreement with the City prior to commencing work and receiving any grant funds. The agreement shall provide that the applicant agrees to complete the work and total capital investment described in the agreement within a year of contract execution; give the City the right to inspect the work described in the development agreement and the financial records associated with the same during reasonable business hours; perform all of the work described in the agreement in accordance with all applicable City codes and regulations; and maintain those improvements in the future.

Motion by Councilmember Susan Long to adopt the resolution as presented, seconded by Councilmember Judy Morales.

Motion passed unanimously.

ORDINANCES

- 7. 2017-4883: Consider adopting an ordinance amending ordinance 2017-4842 to authorize City Manager approval of a number of economic development incentives for neighborhood revitalization in the East Temple area.**

Brynn Myers, Acting City Manager presented this item to the Council.

She stated that on May 18, 2017, the City Council adopted ordinance 2017-4842. The purpose of the ordinance is to promote neighborhood revitalization in East Temple through infill redevelopment. This program includes incentives for residential and commercial structures' rehabilitation, expansion, and/or new construction. The ordinance created an infill redevelopment incentive zone in the East Temple infill redevelopment target area designed to encourage infill redevelopment that might otherwise not occur in the absence of incentives.

The language in the original ordinance requires that each individual incentive agreements be presented to the City Council for approval. Staff is requesting that authority be granted to the City Manager to approve incentive agreements that meet the requirements of the program.

Mayor Dunn declared the public hearing open with regards to agenda item 7, and asked if anyone wished to address this

item. There being none, Mayor Dunn declared the public hearing closed.

Motion by Councilmember Judy Morales to adopt ordinance as presented, with second and final reading on January 18, 2018, seconded by Councilmember Mike Pilkington.

Motion passed unanimously.

8. 2017-4884: FIRST READING - PUBLIC HEARING: Consider adopting an ordinance to include a Special Operations Team certification pay for qualified Firefighters in the Fire Department.

Sandra Esqueda, Director of Human Resources, presented this item to the Council.

Ms. Esqueda stated that Chapter 143.44(b) of the Local Government Code requires that Council establish certification pay by ordinance. Section 44 of the Rules and Regulations of the Temple Fire Fighters' and Police Officers' Civil Service Commission, "Certification and Education Incentive Pay", provides for granting of certification pay to qualified Firefighters upon completion of their probationary period.

During the 2017-2018 budgetary process, Fire Department staff recommended, and Council approved, including a Special Operations certification pay of \$600 per year for qualified Firefighters. To qualify, Firefighters must obtain and maintain the certifications required to operate during Special Operations call outs. This training and certification is critical to maintaining the Department's ability to respond in an all-hazards role, and to maintain the high level of readiness needed by our city. Additionally, the Fire Department has been operating as a Special Operations and Haz-mat provider by agreement with the CTCOG for a number of years.

Mayor Dunn declared the public hearing open with regards to agenda item 8, and asked if anyone wished to address this item. There being none, Mayor Dunn declared the public hearing closed.

Motion by Mayor Pro Tem Timothy Davis to adopt ordinance as presented on first reading, with second and final reading set for January 18, 2018, seconded by Councilmember Susan Long.

Motion passed unanimously.

9. **2017-4885: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing an amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to appropriate additional funding for TMED South 1st Street in FY 2018.**

Traci Barnard, Finance Director presented this item to the Council.

Ms. Barnard stated that the Reinvestment Zone No. 1 Finance Committee met on November 28th to recommend a change to the Financing and Project Plans based on discussions related to the Advanced Funding Agreement with TxDOT related to a change order for the construction of TMED South 1st Street. The proposed amendment allocates funding for the following project:

- Additional funding of \$425,000 for construction of TMED South 1st Street

The construction budget for this project is currently \$1,320,000. The current proposed change order is approximately \$1,745,000. Staff and KPA are reviewing the change order to identify savings to reduce the cost. Based on those savings, the amount could be reduced. We are recommending funding \$425,000 at this time. The additional funding is available from projects that are in the final stages of completion and from funds allocated for rail maintenance and road/signage maintenance.

Mayor Dunn declared the public hearing open with regards to agenda item 9, and asked if anyone wished to address this item. There being none, Mayor Dunn declared the public hearing closed.

Motion by Councilmember Susan Long to adopt ordinance as presented on first reading, with second and final reading set for January 18, 2018, seconded by Councilmember Mike Pilkington.

Motion passed unanimously.

10. **2017-4886: FIRST READING - PUBLIC HEARING: Consider adopting an ordinance designating a tract of land consisting of approximately 21.193 acres and located at 2114 Trino Road in Temple, as City of Temple Tax Abatement Reinvestment Zone Number 36 for commercial/industrial tax abatement.**

Kayla Landeros, City Attorney presented this item to the Council.

She stated that the proposed ordinance designates a tract of land consisting of approximately 21.193 acres and described as Lot 1, Block 1, Temple Industrial Park, Section 26, as Tax Abatement Reinvestment Zone Number 36 for commercial/industrial tax abatement. The property is located at 2114 Trino Road in Temple. The property tax identification number for the property is 111881.

The designation of a tax abatement reinvestment zone lasts for five years and is a prerequisite for entering into a tax abatement agreement with a future economic development prospect. We anticipate bringing a tax abatement agreement for proposed improvements to the property for Council's consideration at the January 18, 2017 meeting.

Mayor Dunn declared the public hearing open with regards to agenda item 10, and asked if anyone wished to address this item. There being none, Mayor Dunn declared the public hearing closed.

Motion by Mayor Pro Tem Timothy Davis to adopt ordinance as presented on first reading, with second and final reading set for January 18, 2018, seconded by Councilmember Susan Long.

Motion passed unanimously.

Daniel A. Dunn, Mayor

ATTEST:

Lacy Borgeson
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Alan DeLoera, Information Technology Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of 16 Panasonic Toughbooks and associated hardware for the Police Department from GTS Technology Solutions, Inc. of Dallas, in the amount of \$62,260.16.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City of Temple Police Department currently has approximately 95 Panasonic Toughbooks for their patrol and Traffic officers. Unfortunately, School Resource Officers and Pool cars do not have Panasonic Toughbooks in their vehicles now.

The School Resource Officers and pool vehicles need Toughbooks to effectively support the Patrol units. The computers allow access to Computer Aided Dispatching, WebRMS, and other City related applications. Law enforcement personnel, whether responding to an emergency, making a routine traffic stop or conducting a police operation, rely on computer-equipped vehicles to serve as their mobile command centers. The technology improves officer and public safety, by instantly providing information that can make the officer more effective and prepared when responding to an incident.

GTS Technology Solutions, Inc. has been awarded State of Texas DIR Contracts DIR-TSO-3920, DIR-TSO-4025 and DIR-TSO-3652 through the State of Texas Department of Information Resources (DIR). Contracts awarded through DIR have been competitively procured and meet the statutory procurement requirements for all Texas governmental entities per Texas Government Code TGC 2157.068 for the Purchase of Technology Commodity items.

FISCAL IMPACT: The purchase of the 16 Panasonic Toughbooks and associated equipment for the Police Department are being funded with the issuance of the 2017 Certificate of Obligation Bonds. Funding is available from remaining funds originally allocated for the purchase of portable radios for the Police Department. Funding is appropriated for the purchase of the equipment in the amount of \$62,260.16 in account 365-2000-521-6218, project 101815, as shown below:

Project Budget	\$	62,261
Encumbered/Committed to Date		-
GTS Technology Solutions, Inc.		(62,261)
Remaining Project Funds Available	\$	-

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF PANASONIC TOUGHBOOKS AND ASSOCIATED HARDWARE FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$62,261, FROM GTS TECHNOLOGY SOLUTIONS, INC. OF DALLAS, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Temple Police Department currently has approximately 95 Panasonic Toughbooks for their patrol and traffic officers - unfortunately the School Resource Officers and pool cars do not have Panasonic Toughbooks in their vehicles;

Whereas, the School Resource Officers and pool vehicles will need these to effectively support the Patrol units as this will allow access to Computer Aided Dispatching, WebRMS, and other City related applications;

Whereas, law enforcement personnel, whether responding to an emergency, making a routine traffic stop or conducting a police operation, rely on computer-equipped vehicles to serve as their mobile command centers;

Whereas, the access to these computers improves officer and public safety, by instantly providing information that can make the officer more effective and prepared when responding to an incident;

Whereas, GTS Technology Solutions, Inc. has been awarded State of Texas DIR Contracts (DIR-TSO-3920, DIR-TSO-4025 and DIR-TSO-3652) through the State of Texas Department of Information Resources (DIR) - contracts awarded through DIR have been competitively procured and meet the statutory procurement requirements for all Texas governmental entities per Texas Government Code Section 2157.068 for the purchase of technology commodity items;

Whereas, the purchase of the 16 Panasonic Toughbooks and associated equipment for the Police Department is being funded with the issuance of the 2017 Certificate of Obligation Bonds - funding is available from remaining funds originally allocated for the purchase of portable radios for the Police Department;

Whereas, funding is appropriated for the purchase of the equipment in Account No. 365-2000-521-6218, Project No. 101815;

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the purchase of Panasonic Toughbooks and associated hardware for the Police Department in the amount of \$62,261, from GTS Technology Solutions, Inc. of Dallas, Texas.

Part 3: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute any documents that may be necessary to complete this purchase.

Part 4: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Floyd Mitchell, Chief of Police

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of 15 police vehicles from Rockdale Country Ford of Rockdale in the amount of \$656,856.58.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The following Police Department vehicles were approved in the FY2018 Budget: (1) ten marked replacement police vehicles (proposed replacements are 2018 police interceptor law enforcement sport utility AWD vehicles), (2) one marked vehicle that will replace three BMW motorcycles in the Traffic Unit (proposed replacement is a 2018 Ford police interceptor law enforcement AWD sedan) (3) one unmarked unit for the addition of the new Deputy Chief position (proposed fleet addition is a 2018 police interceptor law enforcement sport utility AWD vehicle), (4) one marked unit for a new Police Officer position (proposed fleet addition is a 2018 police interceptor law enforcement sport utility AWD vehicle), and (5) one van for the Traffic Unit to carry equipment for crash reconstruction (proposed fleet addition is a 2018 Ford Transit 350 passenger van).

In addition, it has also become necessary to purchase one additional marked vehicle to replace a unit that was totaled in a crash in November, 2017. Staff is proposing to replace this vehicle with a 2018 police interceptor law enforcement sport utility AWD vehicle.

These vehicles are being recommended for purchase from Rockdale Country Ford utilizing BuyBoard cooperative contract #521-16. All contracts available through the BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities.

FISCAL IMPACT: A budget adjustment is being presented to Council for approval to appropriate the insurance proceeds to be received toward the replacement of the vehicle totaled in November, 2017. Remaining funding is appropriated for the purchase of the 15 police vehicles from Rockdale Country Ford in the amount of \$656,856.58 in the FY 2018 Operating Budget as shown below:

	Purchase 2018 Ford SUVs	Purchase 2018 Ford Interceptor	Purchase 2018 Ford Interceptor	
	110-2031-521-6213 110-5900-521-6213	110-5900-521-6213	110-2011-521-6213	
	Project 101686	Project 101688	Project 101722	
Project Budget	\$ 507,676	\$ 54,253	\$ 36,000	
Budget Adjustment	(18,486)	-	-	
Rockdale Country Ford	(436,690)	(41,103)	(34,474)	
Remaining Project Funds	\$ 52,500	\$ 13,150	\$ 1,526	

	Purchase 2018 Ford Interceptor	Purchase 2018 Ford Transit 350	Purchase 2018 Ford Interceptor	Total
	110-2031-521-6213	110-5900-521-6213 110-2032-521-6213	110-2031-521-6213	
	Project 101723	Project 101687	Project 101816	
Project Budget	\$ 62,000	\$ 57,288	\$ -	\$ 717,217
Budget Adjustment	(4,781)	-	43,669	20,402
Rockdale Country Ford	(43,669)	(57,288)	(43,633)	(656,857)
Remaining Project Funds	\$ 13,550	\$ -	\$ 36	\$ 80,762

Remaining project funds will be used for the purchase of necessary equipment for the vehicles.

ATTACHMENTS:
[Budget Adjustment](#)
[Resolution](#)

FY 2018**BUDGET ADJUSTMENT FORM**

Use this form to make adjustments to your budget. All adjustments must balance within a Department.
Adjustments should be rounded to the nearest \$1.

			+	-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE	
110-0000-461-05-54		Insurance Claim	\$ 8,396		
110-2031-521-62-13	101816	Replaced totaled vehicle #13217	43,669		
110-2031-521-62-13	101723	Marked Unit for New Police Officer		4,781	
110-2031-521-62-13	101686	6 Marked Replacement Vehicles		18,486	
110-2031-521-23-36		Communications - repair		12,006	
TOTAL.....			\$ 52,065	\$ 35,273	

EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.

Purchase of a marked unit to replace unit #13217 that was totaled in November, 2017. Claim checks were received from Safeco Insurance for only \$8,396. Additional funds needed for this purchase will be coming from the remaining amount left from the 6 marked replacement units and the marked unit for the new police officer position, along with the money budget for radio batteries and repairs that will not be used due to purchase of new radios this year.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

1/18/2018

WITH AGENDA ITEM?

☒ Yes☐ NoJim Tobin, Jim Tobin 108

Department Head/Division Director

1-10-18

Date

☒ Approved☐ Disapproved

Finance

Date

☐ Approved☐ Disapproved

City Manager

Date

☐ Approved☐ Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF FIFTEEN POLICE VEHICLES IN THE AMOUNT OF \$656,856.58, FROM ROCKDALE COUNTRY FORD OF ROCKDALE, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the fiscal year 2018 budget allowed for the purchase of ten marked replacement police vehicles, one marked vehicle that will replace three BMW motorcycles in the Traffic Unit, one unmarked unit for the addition of the new Deputy Chief position, one marked unit for a new Police Officer position, and one van for the Traffic Unit to carry equipment for crash reconstruction;

Whereas, in addition, Staff would like to purchase one additional marked vehicle to replace a unit that was totaled in a crash in November, 2017;

Whereas, these vehicles are being recommended for purchase from Rockdale Country Ford of Rockdale, Texas utilizing a BuyBoard Local Government Online Purchasing Cooperative Contract (No. 521-16) - all contracts available through BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

Whereas, funds are available for this purchase, but an amendment to the fiscal year 2018 budget needs to be approved to appropriate insurance proceeds and remaining funding to the following account numbers:

Account No. 110-2031-521-6213, Project No. 101686;
Account No. 110-5900-521-6213, Project No. 101686;
Account No. 101-5900-521-5213, Project No. 101688;
Account No. 110-2011-521-6213, Project No. 101722; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the purchase of 15 police vehicles from Rockdale Country Ford of Rockdale, Texas in the amount of \$656,856.58, utilizing the BuyBoard Local Government Online Purchasing Cooperative Contract (No. 521-16).

Part 3: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute any documents that may be necessary for this purchase.

Part 3: The City Council authorizes an amendment to the fiscal year 2018 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

Part 4: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of two easements necessary for the construction of the Shallowford Force Main and authorizing closing costs associated with the purchase, in an estimated amount of \$9,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City owns and operates the Shallowford Lift Station and Force Main. The Lift Station receives wastewater flow from both the Bird Creek and Pepper Creek drainage basins. The City is currently rehabilitating and expanding both gravity interceptors within Bird Creek and the Lift Station to alleviate wastewater overflows and improve capacity. To adequately convey the increased flow from the Lift Station, it was determined the Shallowford Force Main needs to be expanded. The new force main will run parallel to the existing force main.

The design for Shallowford Force Main requires the acquisition of five easements from five property owners. Appraisals have been completed for all easements and initial offers sent to the owners. With the assistance of Lone Star Right of Way Services (Lone Star), the City has reached an agreement with two property owners. At this time, Staff is asking for authorization to purchase two easements necessary for the Shallowford Force Main and authorizing closing costs associated with the purchase, in an estimated amount of \$9,000.

The address and Bell County Appraisal District ID Number of the properties are:

Taylors Valley Road, Belton—Bell CAD ID #107180
Rockwool Lane, Rural Bell County—Bell CAD ID #387637

FISCAL IMPACT: Funding is available for the purchase of two easements necessary for the construction of the Shallowford Force Main project in an estimated amount of \$9,000 in account 561-5400-535-6973, project 101512.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF TWO EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE SHALLOWFORD LIFT STATION; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THESE PURCHASES IN AN ESTIMATED AMOUNT OF \$9,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City owns and operates the Shallowford Lift Station and Force Main which receives wastewater flow from both the Bird Creek and Pepper Creek drainage basins;

Whereas, the City is currently rehabilitating and expanding both gravity interceptors within Bird Creek and the Lift Station to alleviate wastewater overflows and improve capacity - to adequately convey the increased flow from the Lift Station, it was determined the Shallowford Force Main needs to be expanded and the new force main will run parallel to the existing force main;

Whereas, the design for Shallowford Force Main requires the acquisition of five easements from five property owners - appraisals have been completed for all easements and initial offers sent to the owners;

Whereas, with the assistance of Lone Star Right of Way Services (Lone Star), the City has reached an agreement with two property owners and Staff recommends Council authorize the purchase of two easements necessary for the Shallowford Force Main and authorize closing costs associated with the purchase, in an estimated amount of \$9,000;

Whereas, the address and the Bell County Appraisal District ID Number of the properties are:

Taylor's Valley Road, Belton—Bell CAD ID No. 107180;
Rockwool Lane, Rural Bell County—Bell CAD ID No. 387637;

Whereas, funding for the purchase of two easements for the construction of the Shallowford Force Main project and closing costs associated with these purchases is available in Account No. 561-5400-535-6973, Project No. 101512; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the purchase of two easements necessary for the construction of the Shallowford Force Main and authorizes closing costs associated with the purchase, in an estimated amount of \$9,000.

Part 3: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute any documents that may be necessary for this purchase.

Part 4: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of two rights of way and temporary construction easement necessary for the expansion of Kegley Road Phase II and authorizing closing costs associated with the purchase in an estimated amount of \$30,000.

Executive Session – Pursuant to Chapter 551, Government Code § 551.072 – Real Property – The City Council may enter into executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City is currently in the design phase for the proposed expansion of Kegley Road. The design requires the acquisition of eight rights-of-way, four drainage easements, and five temporary construction easements from eight property owners. Appraisals have been performed on all acquisitions except for two temporary construction easements. Offers have been made to the owners based on the completed appraisals. Staff anticipates receiving the last two appraisals in the coming weeks and will present offers accordingly.

The City has reached an agreement with one property owner. Staff is actively negotiating with the other property owners and hopes to reach agreements in the coming weeks. At this time, Staff is asking for authorization to purchase the two rights of way and temporary construction easement and pay closing costs in an estimated amount of \$30,000.

The address and Bell County Appraisal District ID Numbers of the properties are listed below:

Kegley Road—Bell CAD ID #118191
Kegley Road—Bell CAD ID #118194

FISCAL IMPACT: Funding is available for the purchase of two rights of way and temporary construction easement necessary for the expansion of Kegley Road Phase II project in an estimated amount of \$30,000 in account 365-3400-531-6888, project 101606.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF TWO RIGHTS OF WAY AND TEMPORARY CONSTRUCTION EASEMENTS NECESSARY FOR THE EXPANSION OF KEGLEY ROAD, PHASE II; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASES, IN AN ESTIMATED AMOUNT OF \$30,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City is currently in the bid phase for the proposed upgrades to the Kegley Road - the design requires the acquisition of eight rights-of-way, four drainage easements, and five temporary construction easements from eight property owners;

Whereas, appraisals have been performed on all acquisitions except for two temporary construction easements - offers have been made to the owners based on the completed appraisals and Staff anticipates receiving the last two appraisals in the coming weeks and will present offers accordingly;

Whereas, the City has reached an agreement with one property owner and Staff is actively negotiating with the other property owners and hopes to reach agreements in the coming weeks;

Whereas, Staff recommends Council authorize the purchase of two rights of way and temporary construction easements which are necessary for the expansion of Kegley Road, Phase II, as well as pay closing costs associated with these purchases, in an estimated amount of \$30,000;

Whereas, the address and Bell County Appraisal District ID Numbers of the properties are listed below:

Kegley Road—Bell CAD ID No. 118191;
Kegley Road—Bell CAD ID No. 118194;

Whereas, funding for the purchase of the two rights of way and temporary construction easements are available in Account No. 365-3400-531-6888, Project No. 101606; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the purchase of two rights of way and temporary construction easements which are necessary for the expansion of Kegley Road, Phase II, as well as pay closing costs associated with these purchases, in an estimated amount of \$30,000.

Part 3: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute any documents that may be necessary for the purchase.

Part 4: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, PE, Director of Public Works
Damon Boniface, Utility Director

ITEM DESCRIPTION: Consider adopting a resolution ratifying an emergency construction contract with TTG Utilities, LP of Gatesville, in the estimated amount of \$130,000 for waterline repairs.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The recent extremely cold weather has created an increase in waterline breaks throughout the City. The current focus of the Utility Department field staff is to focus on repairs needed to restore the delivery of water to customers. There are numerous other water leaks that exist (the current list has approximately 60 locations) that aren't specifically impacting customers, but all the same, they are a source of unmetered water loss.

In order to assist with the necessary waterline repairs, Staff proceeded with the execution of a short-term emergency construction contract with TTG Utilities, LP. Staff decided to approach TTG Utilities for assistance based on Staff's positive experiences of using them on other similar repair projects. The contract is structured for work on an as-needed basis with TTG being compensated based on the labor incurred and equipment used as follows:

Superintendent & Truck	\$65.00/hr
Crew Foreman	\$45.00/hr
Equipment Operator	\$26.50/hr
Pipelayer	\$21.25/hr
Laborer	\$19.75/hr
Crew Truck & Misc Tools	\$26.25/hr
Backhoe	\$35.00/hr
Small Excavator	\$43.75/hr
Medium Excavator	\$67.50/hr
Wheel Loader	\$47.75/hr
Haul Truck & Driver	\$105.00/hr
Trench Box	\$15.00/hr

Per the contract, the City will provide TTG with the parts needed to make the repairs.

It is anticipated that assistance will be needed from TTG under this contract for approximately 60 days at an estimated cost of approximately \$130,000.

Because of the time sensitivity in getting assistance with the repair of the numerous waterline breaks, staff proceeded with a contract prior to receiving Council's approval and receiving competitive sealed bids. This process was used per the bidding exemption under the Local Government Code §252.022(a)(1-3), unforeseen damage to property and repairs that are needed quickly to preserve the property of the City and to protect the public health and safety of the City's residents.

FISCAL IMPACT: The FY 2018 Operating Budget includes funding in the amount of \$130,000 in account 520-5200-535-2327 to fund this emergency construction contract.

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING AN EMERGENCY CONSTRUCTION CONTRACT WITH TTG UTILITIES, LP OF GATESVILLE, TEXAS IN THE ESTIMATED AMOUNT OF \$130,000, FOR WATERLINE REPAIRS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the recent extremely cold weather has created an increase in waterline breaks throughout the City and the current focus of the Utility Department Field Staff is to focus on repairs needed to restore the delivery of water service to customers;

Whereas, there are numerous other water leaks that exist (approximately 60 locations) that are not specifically impacting customers, but are a source of unmetered water loss;

Whereas, in order to assist with the necessary waterline repairs, Staff proceeded with the execution of a short-term emergency construction contract with TTG Utilities, LP and decided to approach TTG Utilities for assistance based on Staff's positive experiences of using the company on other similar repair projects;

Whereas, the emergency construction contract is structured for work on an as-needed basis with TTG being compensated based on the labor incurred and equipment used and per the contract, the City will provide TTG with the parts needed to make the repairs;

Whereas, it is anticipated that assistance will be needed from TTG under this contract for approximately 60 days at an estimated cost of approximately \$130,000;

Whereas, because of the time sensitivity in getting assistance with the repair of the numerous waterline breaks, Staff proceeded with a contract prior to receiving Council's approval and receiving competitive sealed bids - this process was used per the bidding exemption under the Local Government Code §252.022(a)(1-3), unforeseen damage to property and repairs that are needed quickly to preserve the property of the City and to protect the public health and safety of the City's residents;

Whereas, the fiscal year 2018 budget includes funds in Account No. 520-5200-535-2327 to fund this emergency construction contract; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council ratifies an emergency construction contract with TTG Utilities, LP of Gatesville, Texas in the estimated amount of \$130,000 for emergency waterline repairs.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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Item #8(G)
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DEPT. / DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Director of Parks and Recreation

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Kraftsman Commercial Playgrounds and Water Parks of Spring, in the amount of \$33,861.75 for the construction of a shade canopy adjacent to the skate park within Miller Park.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In 2017 the City's skate park was moved from the Santa Fe Plaza area to Miller Park. When the skate park was in the Santa Fe Plaza area, shade was provided by surrounding trees. Miller Park does not have the trees to provide shade for the skate park, and as such, staff is recommending the installation of a 15' x 30' hip canopy adjacent to the skate park within Miller Park in order to provide shade for the skate park users.

Staff is recommending that the shade canopy be procured and installed by Kraftsman Commercial Playground and Water Parks (KCPWP) utilizing a cooperative BuyBoard Contract #512-16 that has been awarded to KCPWP. Contracts awarded through BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities.

It is anticipated that the shade canopy installation will be complete in the spring of 2018.

FISCAL IMPACT: Funding for the construction contract with Kraftsman Commercial Playgrounds and Water Parks in the amount of \$33,861.75 is available in account 795-9500-531-6870, project 101817 as follows:

Project Budget	\$	33,862
Encumbered/Committed to Date		-
Construction Award - Kraftsman Commercial Playgrounds and Water Parks		(33,862)
Remaining Project Funds Available	\$	-

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH KRAFTSMAN COMMERCIAL PLAYGROUNDS AND WATER PARKS OF SPRING, TEXAS IN THE AMOUNT OF \$33,861.75, FOR THE CONSTRUCTION OF A SHADE CANOPY ADJACENT TO THE SKATE PARK WITHIN MILLER PARK; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in 2017, the City's skate park was moved from the Santa Fe Plaza area to Miller Park to accommodate the Santa Fe Plaza project;

Whereas, when the skate park was in the Santa Fe Plaza area, shade was provided by surrounding trees - Miller Park does not have the trees to provide shade for the skate park, and Staff believes the installation of a 15-foot x 30-foot canopy adjacent to the skate park within Miller Park will provide adequate shade for the skate park users;

Whereas, Staff recommends the shade canopy be procured and installed by Kraftsman Commercial Playground and Water Parks utilizing a cooperative BuyBoard Contract (#512-16) - contracts awarded through BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

Whereas, funds are available for this contract in Account No. 795-9500-531-6870, Project No. 101817; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract with Kraftsman Commercial Playgrounds and Water Parks of Spring, Texas in the amount of \$33,861.75, for the construction of a shade canopy adjacent to the skate park within Miller Park.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #8(H)
Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW

Kevin Beavers, CPRP, Parks and Recreation Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing change order #2 to the Santa Fe Plaza Phase I construction contract with McLean Construction, Inc. of Killeen, in the amount of \$244,417.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Authorization of this change order will provide for the following infrastructure improvements in the Santa Fe Plaza project:

- Construction of drainage, water and wastewater utilities from the Santa Fe Business Center and Temple ISD Administration buildings to public utility connections;
- Installation of electrical conduit from Avenue A to Central Avenue for the conversion of overhead electric to underground;
- Construction of pedestrian facilities at the Moody Model Train Building; and
- Construction of a parking facility at 5th Street and Avenue A that will provide for a staging area so the project can proceed to Phase II.

On November 17, 2016, Council authorized a construction contract with McLean Construction for roadway, parking lots, and utilities associated with the Santa Fe Plaza project in the amount of \$2,835,834.50 ("Santa Fe Plaza Phase I"). On April 20, 2017, Council authorized change order #1 to the construction contract in the amount of \$46,495.60. With this proposed change order, the revised contract value will be \$3,126,747.10.

The proposed change order also changes the completion date of the project from August 10, 2017 to March 8, 2018.

FISCAL IMPACT: Funding for change order #2 to the Santa Fe Plaza Phase I construction contract with McLean Construction, Inc. in the amount of \$244,417 is available in account 795-9500-531-6870, project 101008, as follows

	<u>795-9500-531-6870</u>	<u>795-9800-531-6870</u>	<u>Total</u>
Project Budget	\$ 12,537,800	\$ 963,600	\$ 13,501,400
Encumbered/Committed to Date	(6,842,060)	(963,600)	(7,805,660)
McLean Construction, Inc. Change Order #2	(244,417)	-	(244,417)
Remaining Project Funds	<u>\$ 5,451,323</u>	<u>\$ -</u>	<u>\$ 5,451,323</u>

ATTACHMENTS:

[Change Order #2](#)
[Resolution](#)

CHANGE ORDER

PROJECT: **Santa Fe Plaza Phase I - Roadways & Utilities**
 OWNER: **City of Temple**
 CONTRACTOR: **McLean Construction**
 ENGINEER: **Kasberg, Patrick & Associates**
 CHANGE ORDER #: **2**

Make the following additions, modifications or deletions (circle those that apply) to the work described in the Contract Documents:

Add: Item	Site Work Adjustments Description	Quantity	Unit	Unit Price	Extended Amount
CO3-1	Additional Mobilization, Bonds, & Insurance	1	LS	\$ 9,500.00	\$ 9,500.00
CO3-2	18" RCP	10	LF	\$ 65.50	\$ 655.00
CO3-3	15" HDPE	449	LF	\$ 43.50	\$ 19,531.50
CO3-4	12" HDPE	471	LF	\$ 33.50	\$ 15,778.50
CO3-5	8" HDPE	60	LF	\$ 36.50	\$ 2,190.00
CO3-6	6" HDPE	59	LF	\$ 27.50	\$ 1,622.50
CO3-7	15" 22.5* Bend	1	EA	\$ 314.00	\$ 314.00
CO3-8	15 x 6 Tee	2	EA	\$ 387.00	\$ 774.00
CO3-9	15x12 Reducer	3	EA	\$ 369.00	\$ 1,107.00
CO3-10	15" 45* Bend	6	EA	\$ 308.00	\$ 1,848.00
CO3-11	15" 90* Bend	1	EA	\$ 324.00	\$ 324.00
CO3-12	15x12 Tee	1	EA	\$ 406.00	\$ 406.00
CO3-13	15x12 Wye	1	EA	\$ 540.00	\$ 540.00
CO3-14	12" 90* Bend	6	EA	\$ 212.00	\$ 1,272.00
CO3-15	12" Tee	2	EA	\$ 258.00	\$ 516.00
CO3-16	12 x 6 Reducer	1	EA	\$ 202.00	\$ 202.00
CO3-17	12" 45* Bend	2	EA	\$ 200.00	\$ 400.00
CO3-18	12x4 Reducer	1	EA	\$ 204.00	\$ 204.00
CO3-19	Connection to Ex. Storm Drain	4	EA	\$ 2,474.00	\$ 9,896.00
CO3-20	2x2 Junction Box	2	EA	\$ 1,622.00	\$ 3,244.00
CO3-21	8" 45* Bend	2	EA	\$ 35.00	\$ 70.00
CO3-22	8" 90* Bend	1	EA	\$ 35.00	\$ 35.00
CO3-23	8x6 Reducer	1	EA	\$ 24.00	\$ 24.00
CO3-24	TISD Admin & SFBC Supply Line Connections	11	EA	\$ 360.00	\$ 3,960.00
CO3-25	Remove Curb and Gutter Parking Lot Number 3	160	LF	\$ 8.00	\$ 1,280.00
CO3-26	New Curb and Gutter, Including Concrete Rip Rap	160	LF	\$ 21.00	\$ 3,360.00
CO3-27	Concrete Sidewalk	250	SY	\$ 41.50	\$ 10,375.00
CO3-28	Handicap Ramps Type 7	2	EA	\$ 2,130.00	\$ 4,260.00
CO3-29	Curb Cuts	2	EA	\$ 993.00	\$ 1,986.00
CO3-30	Duct Bank 2 - 6" and 9 - 4" Conduits	600	LF	\$ 39.40	\$ 23,640.00
CO3-31	Pull Boxes - Install Only	2	EA	\$ 1,122.00	\$ 2,244.00
CO3-32	2- 3" Conduits	543	LF	\$ 24.00	\$ 13,032.00
CO3-33	Furnish and Install Pull Boxes	2	EA	\$ 6,013.00	\$ 12,026.00
CO3-34	Sawcut Roadway	1,200	LF	\$ 12.00	\$ 14,400.00
CO3-35	Elec. Conduit for Bldgs. To Tranformer Pad	2	EA	\$ 4,889.00	\$ 9,778.00
CO3-36	Communication Conduits to Bldgs	2	EA	\$ 5,365.00	\$ 10,730.00
CO3-37	Small Parking Lot Curb and Gutter	550	LF	\$ 13.50	\$ 7,425.00
CO3-38	Unclassified Excavation for Small Parking Lot	850	CY	\$ 10.70	\$ 9,095.00
CO3-39	6" Moisture Conditioned Subgrade for Small Parking Lot	1,275	SY	\$ 1.40	\$ 1,785.00
CO3-40	9" Crushed Limestone Base for Small Parking Lot	1,275	SY	\$ 10.50	\$ 13,387.50
CO3-41	3-5/8" Type B HMAc for Small Parking Lot	1,000	SY	\$ 21.50	\$ 21,500.00
CO3-42	1.5" Type D HMAc for Small Parking Lot	1,000	SY	\$ 9.70	\$ 9,700.00
Add Total					\$ 244,417.00
Change Order Total					\$ 244,417.00

The compensation agreed upon in this Change Order is full, complete and final payment for all costs the Contractor may incur as a result of or relating to this change whether said costs are known, unknown, foreseen or unforeseen at this time, including without limitation, any cost for delay (for which only revised time is available), extended overhead, ripple or impact cost, or any other effect on changed or unchanged work as a result of this Change Order.

Original Contract Amount	\$ 2,835,834.50
Previous Net Change in Contract Amount	\$ 46,495.60
Net Change in Contract Amount	\$ 244,417.00
Revised Contract Amount	\$ 3,126,747.10
Original Contract Time	N/A days
Previous Net Change in Contract Time	26 days
Net Change in Contract Time	210 days
Revised Contract Time	236 days
Original Final Completion Date	July 15, 2017
Revised Final Completion Date	March 8, 2018

Recommended By:

Project Manager (City Staff) _____ Date _____

Agreed to:

 _____ 03 JAN 18
Contractor Date

Approved as to form:

City Attorney's Office _____ Date _____

Recommended by:

 1-3-18
Architect/Engineer Date

Approved by City of Temple:

Brynn Myers, Interim City Manager _____ Date _____

Approved by Finance Department

Finance _____ Date _____

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CHANGE ORDER NO. 2 TO THE CONSTRUCTION CONTRACT WITH MCLEAN CONSTRUCTION INC. OF KILLEEN, TEXAS FOR PHASE 1 OF THE SANTA FE PLAZA PROJECT IN THE AMOUNT OF \$244,417; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on November 17, 2016, Council authorized a construction contract with McLean Construction, Inc. of Killeen, Texas for roadway, parking lots, and utilities associated with the Santa Fe Plaza project;

Whereas, on April 20, 2017, Council authorized Change Order No. 1 in the amount of \$46,495.60 to minimize the interruption of power to move the overhead utilities underground, as well as additional project enhancements;

Whereas, Change Order No. 2 will provide for the following infrastructure improvements in the Santa Fe Plaza project:

- Construction of drainage, water and wastewater utilities from the Santa Fe Business Center and Temple ISD Administration buildings to public utility connections;
- Installation of electrical conduit from Avenue A to Central Avenue for the conversion of overhead electric to underground;
- Construction of pedestrian facilities at the Moody Model Train Building; and
- Construction of a parking facility at 5th Street and Avenue A that will provide for a staging area so the project can proceed to Phase II;

Whereas, Staff recommends Council authorize Change Order No. 2 to the construction contract with McLean Construction for project enhancements to Phase 1 of the construction of the Santa Fe Plaza project;

Whereas, funding for Change Order No. 2 is available in Account No. 795-9500-531-6870, Project No. 101008; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute Change Order No. 2 to the construction contract with McLean Construction, Inc. of Killeen, Texas for the Santa Fe Plaza project in the amount of \$244,417.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director
Don Bond, P.E., City Engineer

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Lone Star Grading & Materials, LLC, of Salado, in an amount not to exceed \$717,702.28 for construction of the Kegley Road & FM 2305 Intersection Improvements.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This project will develop intersection improvements to Kegley Road at FM 2305. Improvements include expanded pavement sections, drainage conveyance, striping, signage and traffic control & sequencing. As depicted by the attached Project Map, Kegley Road will gain a dedicated left-turn lane for northbound traffic and increased traffic stacking in the left-turn lane.

Six bids were received on December 12th. Lone Star submitted the low bid in the amount of \$717,702.28 per the attached Bid Tabulation. The opinion of probable construction cost was \$878,000. Kasberg, Patrick & Associates, LP, recommend awarding construction to the low bidder, Lone Star, in their attached Recommendation Letter. Construction time allotted for the project is 150 calendar days.

FISCAL IMPACT: Funding for the construction contract with Lone Star Grading & Materials, LLC in an amount not to exceed \$717,702.28 for construction of the Kegley Road & FM 2305 Intersection Improvements is appropriated for project 100346 as follows:

	365-3400-531-6888	520-5200-535-6357	Total
Project Budget	\$ 1,355,550	\$ 110,000	\$ 1,465,550
Encumbered/Committed to Date	(522,033)	-	(522,033)
Construction Award – Lone Star Grading & Materials, LLC.	(632,978)	(84,724)	(717,702)
Remaining Project Funds	\$ 200,539	\$ 25,276	\$ 225,815

ATTACHMENTS:

[Recommendation Letter](#)
[Bid Tabulation](#)
[Project Map](#)
[Resolution](#)



KASBERG, PATRICK & ASSOCIATES, LP
CONSULTING ENGINEERS
Texas Firm F-510

Temple
One South Main Street
Temple, Texas 76501
(254) 773-3731

RICK N. KASBERG, P.E.
R. DAVID PATRICK, P.E., CFM
THOMAS D. VALLE, P.E.
GINGER R. TOLBERT, P.E.
ALVIN R. "TRAE" SUTTON, III, P.E., CFM
JOHN A. SIMCIK, P.E., CFM

Georgetown
1008 South Main Street
Georgetown, Texas 78626
(512) 819-9478

December 18, 2017

Ms. Sharon Carlos, E.I.T.
3210 E. Avenue H
Building A
Temple, Texas 76501

Re: City of Temple, Texas
Kegley Road / FM 2305 Intersection Improvements

Dear Ms. Carlos:

On December 12, 2017, the City of Temple received competitive bids from six (6) contractors for the Kegley Road / FM 2305 Intersection Improvements project. The project consists of construction of approximately 1,000 linear feet of new roadway with associated appurtenances. The attached Bid Tabulation shows Lone Star Grading & Materials, LLC of Salado, as the low bidder at \$717,702.28 for the Total Bid. The bids ranged from the low bid to \$1,009,487.00. Our final opinion of probable construction cost was \$878,000.

Lone Star Grading & Materials, LLC has completed similar projects for KPA in Central Texas. We have contacted their references and received positive comments from each. Therefore, we recommend that a contract be awarded to Lone Star Grading & Materials, LLC. for the Kegley Road / FM 2305 Intersection Improvements project in the amount of \$717,702.28.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. David Patrick', written over a horizontal line.

R. David Patrick, P.E., CFM
RDP/crc

xc: Don Bond, P.E., CFM, City of Temple
2015-142-40

BID TABULATION
CITY OF TEMPLE
KEGLEY ROAD / FM 2305 INTERSECTION IMPROVEMENTS PROJECT
December 12, 2017; 2:00 PM

BIDDER INFORMATION															
				Lone Star Grading & Materials, LLC PO Box 1162 Salado TX 76571		Holy Contractors LLC 712 E Panther Way Hewitt TX 76643		RT Schneider Construction Co Ltd PO Box 876 Belton TX 76513		TTG Utilities LP PO Box 299 Gatesville TX 76528		McLean Construction Inc 4101 Trimmier Rd Killeen TX 76542		Patin Construction LLC 3800 West 2nd Street Taylor TX 76574	
Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
BASE BID															
1	100%	LS	Mobilization, Bonds and Insurance, not-to-exceed 5% of the Base Bid Amount	\$ 26,288.09	\$ 26,288.09	\$ 36,701.00	\$ 36,701.00	\$ 37,765.00	\$ 37,765.00	\$ 6,600.00	\$ 6,600.00	\$ 29,631.00	\$ 29,631.00	\$ 50,000.00	\$ 50,000.00
2	13	STA	Provide Labor, Equipment, Tools & Supervision to Complete Preparation of Right-of-Way	978.30	12,717.90	1,500.00	19,500.00	1,590.00	20,670.00	1,530.00	19,890.00	847.00	11,011.00	1,500.00	19,500.00
3	100%	LS	Submit Trench Safety Plan Prepared & Signed by P.E., in Conformance with State Law and OSHA	3,080.00	3,080.00	500.00	500.00	3,085.00	3,085.00	950.00	950.00	1,131.00	1,131.00	1,200.00	1,200.00
4	1,287	LF	Implement & Follow Trench Safety Plan (Pipe)	1.87	2,406.69	1.50	1,930.50	1.90	2,445.30	1.35	1,737.45	2.00	2,574.00	1.00	1,287.00
5	660	SF	Implement & Follow Trench Safety Plan (Structures)	2.31	1,524.60	5.00	3,300.00	2.35	1,551.00	2.65	1,749.00	1.00	660.00	5.00	3,300.00
6	100%	LS	Prepare Stormwater Pollution Prevention Plan, Including Submission to and Receiving Permits from TCEQ	1,650.00	1,650.00	650.00	650.00	1,760.00	1,760.00	1,260.00	1,260.00	1,422.00	1,422.00	1,500.00	1,500.00
7	100%	LS	Implement and Administer Barricade, Signing and Traffic Safety Plan (Vehicular and Pedestrian)	6,820.00	6,820.00	3,500.00	3,500.00	9,450.00	9,450.00	12,650.00	12,650.00	11,050.00	11,050.00	10,500.00	10,500.00
8	100%	LS	Provide Project Record Drawings	1,320.00	1,320.00	500.00	500.00	1,165.00	1,165.00	930.00	930.00	715.00	715.00	1,500.00	1,500.00
9	100%	LS	Provide DVD of right-of-way pre-construction and post construction site conditions for the total project	495.00	495.00	200.00	200.00	500.00	500.00	930.00	930.00	858.00	858.00	1,500.00	1,500.00
10	18	LF	24" Steel Encasement Pipe by Open Cut	132.00	2,376.00	200.00	3,600.00	135.00	2,430.00	215.00	3,870.00	141.00	2,538.00	170.00	3,060.00
11	860	LF	Furnish and Install 12-inch Diameter PVC Water Line, including Thrust Restraint	51.92	44,651.20	39.00	33,540.00	52.00	44,720.00	58.50	50,310.00	46.50	39,990.00	75.00	64,500.00
12	2	EA	Connect 12" Waterline to Existing 12" Waterline	2,200.00	4,400.00	1,500.00	3,000.00	2,200.00	4,400.00	3,240.00	6,480.00	1,648.00	3,296.00	8,500.00	17,000.00
13	1	EA	Cut and Cap Existing 12" Waterline	638.00	638.00	500.00	500.00	640.00	640.00	550.00	550.00	1,266.00	1,266.00	2,500.00	2,500.00
14	3	EA	Furnish and Install Standard Fire Hydrant Assembly	4,730.00	14,190.00	4,500.00	13,500.00	4,740.00	14,220.00	4,670.00	14,010.00	3,870.00	11,610.00	5,000.00	15,000.00
15	1	EA	Furnish and Install Water Service/Meter Assembly Including	1,320.00	1,320.00	750.00	750.00	1,325.00	1,325.00	1,400.00	1,400.00	1,118.00	1,118.00	2,500.00	2,500.00
16	3	EA	12" Gate Valve	2,640.00	7,920.00	2,825.00	8,475.00	2,650.00	7,950.00	2,240.00	6,720.00	2,541.00	7,623.00	3,500.00	10,500.00
17	4	EA	12" Plug	363.00	1,452.00	430.00	1,720.00	365.00	1,460.00	265.00	1,060.00	741.00	2,964.00	500.00	2,000.00
18	2	EA	12"x12" Tee	1,056.00	2,112.00	585.00	1,170.00	1,060.00	2,120.00	1,060.00	2,120.00	1,049.00	2,098.00	500.00	1,000.00
19	5	EA	12" 45° Bend	869.00	4,345.00	355.00	1,775.00	875.00	4,375.00	700.00	3,500.00	875.00	4,375.00	500.00	2,500.00
20	100%	LS	Furnish All Materials, Equipment, Tools and Labor Necessary for Testing Water Line, Including Any Necessary	1,320.00	1,320.00	3,000.00	3,000.00	1,325.00	1,325.00	3,950.00	3,950.00	1,433.00	1,433.00	2,500.00	2,500.00
21	300	LF	Furnish and Install 18" Class III RCP	72.38	21,714.00	50.00	15,000.00	72.60	21,780.00	80.00	24,000.00	63.90	19,170.00	60.00	18,000.00
22	150	LF	Furnish, Install, Maintain, and Remove Temporary 18" Class	78.62	11,793.00	50.00	7,500.00	72.55	10,882.50	57.30	8,595.00	67.00	10,050.00	65.00	9,750.00
23	1	EA	18" Plug for 18" RCP	583.00	583.00	200.00	200.00	585.00	585.00	467.00	467.00	709.00	709.00	500.00	500.00
24	2	EA	10'x3' Curb Inlet With Backside Opening	4,400.00	8,800.00	4,000.00	8,000.00	4,410.00	8,820.00	4,360.00	8,720.00	3,778.00	7,556.00	2,500.00	5,000.00
25	850	SY	Concrete Sidewalk	45.27	38,479.50	36.00	30,600.00	46.15	39,227.50	42.50	36,125.00	58.00	49,300.00	55.00	46,750.00
26	1,650	LF	Standard Concrete Curb and Gutter	16.78	27,687.00	12.00	19,800.00	20.00	33,000.00	15.80	26,070.00	13.50	22,275.00	18.00	29,700.00
27	155	LF	Type I, 2" Concrete Curb and Gutter	47.94	7,430.70	10.00	1,550.00	20.00	3,100.00	20.00	3,100.00	17.00	2,635.00	18.00	2,790.00
28	4	EA	TxDOT Type 7 Curb Ramp With Detectable Warnings	2,346.45	9,385.80	500.00	2,000.00	2,420.00	9,680.00	1,325.00	5,300.00	1,904.00	7,616.00	1,500.00	6,000.00
29	70	LF	Sawcut Existing Driveway	9.40	658.00	3.50	245.00	6.00	420.00	7.35	514.50	21.50	1,505.00	5.00	350.00
30	170	LF	Sawcut Existing Asphalt Roadway	3.87	657.90	3.50	595.00	5.00	850.00	6.00	1,020.00	8.50	1,445.00	5.00	850.00
31	1,630	CY	Unclassified Roadway Excavation	10.46	17,049.80	9.00	14,670.00	5.20	8,476.00	15.00	24,450.00	20.20	32,926.00	25.00	40,750.00
32	550	CY	Unclassified Roadway Fill	5.27	2,898.50	32.00	17,600.00	4.30	2,365.00	23.00	12,650.00	27.80	15,290.00	20.00	11,000.00
33	5,500	SY	6-inch Moisture Conditioned Subgrade	0.46	2,530.00	2.32	12,760.00	1.10	6,050.00	2.50	13,750.00	1.70	9,350.00	7.00	38,500.00
34	4,000	SY	Type II Geogrid	1.54	6,160.00	3.39	13,560.00	1.60	6,400.00	2.35	9,400.00	2.20	8,800.00	2.00	8,000.00
35	4,000	SY	10" CLBM Type A Grade II	9.94	39,760.00	11.60	46,400.00	9.25	37,000.00	21.20	84,800.00	16.90	67,600.00	20.00	80,000.00
36	4,000	SY	One Course Surface Treatment	3.85	15,400.00	4.84	19,360.00	4.60	18,400.00	4.40	17,600.00	4.30	17,200.00	4.00	16,000.00
37	1,500	SY	12" Type B HMAC	52.80	79,200.00	55.17	82,755.00	58.00	87,000.00	60.75	91,125.00	61.30	91,950.00	70.00	105,000.00
38	4,500	SY	4 5/8" Type B HMAC	19.25	86,625.00	20.84	93,780.00	21.20	95,400.00	22.15	99,675.00	22.90	103,050.00	27.00	121,500.00
39	4,500	SY	2" Type C HMAC	8.80	39,600.00	9.57	43,065.00	9.70	43,650.00	10.10	45,450.00	10.90	49,050.00	15.00	67,500.00
40	2,600	SY	Furnish, Install, Maintain, & Remove Temporary 6" CLBM Type A Grade II, Including Required Excavation & Fill	8.45	21,970.00	11.71	30,446.00	10.70	27,820.00	14.00	36,400.00	16.80	43,680.00	15.00	39,000.00
41	2,600	SY	Furnish, Install, Maintain, & Remove Temporary 1.5" Type C HMAC, Including Required Excavation & Fill	11.50	29,900.00	18.00	46,800.00	12.55	32,630.00	13.20	34,320.00	20.90	54,340.00	15.00	39,000.00

BID TABULATION
CITY OF TEMPLE
KEGLEY ROAD / FM 2305 INTERSECTION IMPROVEMENTS PROJECT
December 12, 2017; 2:00 PM

				BIDDER INFORMATION											
				Lone Star Grading & Materials, LLC PO Box 1162 Salado TX 76571		Holy Contractors LLC 712 E Panther Way Hewitt TX 76643		RT Schneider Construction Co Ltd PO Box 876 Belton TX 76513		TTG Utilities LP PO Box 299 Gatesville TX 76528		McLean Construction Inc 4101 Trimmier Rd Killeen TX 76542		Patin Construction LLC 3800 West 2nd Street Taylor TX 76574	
Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
42	550	SY	Concrete Driveway Section	49.51	27,230.50	36.00	19,800.00	55.75	30,662.50	58.50	32,175.00	69.00	37,950.00	75.00	41,250.00
43	2	EA	R3-8L Turn Direction Sign, Including Pole and Base	715.00	1,430.00	72.00	144.00	785.00	1,570.00	506.00	1,012.00	448.00	896.00	800.00	1,600.00
44	4	EA	Turn Arrow	38.50	154.00	71.50	286.00	42.35	169.40	44.30	177.20	73.00	292.00	300.00	1,200.00
45	2	EA	"ONLY"	82.50	165.00	71.50	143.00	90.50	181.00	94.90	189.80	73.00	146.00	350.00	700.00
46	800	LF	Continuous White Striping	0.40	320.00	0.77	616.00	0.45	360.00	0.46	368.00	0.80	640.00	2.00	1,600.00
47	850	LF	Continuous Double Yellow Striping	0.79	671.50	1.54	1,309.00	0.85	722.50	0.91	773.50	1.60	1,360.00	2.00	1,700.00
48	390	LF	Yellow Gore Striping	1.43	557.70	9.79	3,818.10	1.60	624.00	1.65	643.50	10.00	3,900.00	14.00	5,460.00
49	70	LF	24" White Stop Bar	2.37	165.90	4.40	308.00	2.60	182.00	2.72	190.40	4.50	315.00	22.00	1,540.00
50	140	LF	24" White Crosswalk, Measured As Width of Roadway	3.17	443.80	9.07	1,269.80	3.50	490.00	3.70	518.00	9.20	1,288.00	22.00	3,080.00
51	500	LF	French Drain including Bedding Material per Detail	50.16	25,080.00	10.00	5,000.00	46.00	23,000.00	20.20	10,100.00	43.80	21,900.00	20.00	10,000.00
52	100	CY	Class A Concrete	149.25	14,925.00	250.00	25,000.00	140.00	14,000.00	228.00	22,800.00	296.00	29,600.00	120.00	12,000.00
53	100	SY	Concrete Riprap	89.87	8,987.00	36.00	3,600.00	52.00	5,200.00	42.30	4,230.00	50.00	5,000.00	200.00	20,000.00
54	690	LF	Furnish, Install, Maintain and Remove Silt Fence as required in the Stormwater Pollution Prevention Plan	3.28	2,263.20	2.00	1,380.00	2.55	1,759.50	4.00	2,760.00	2.80	1,932.00	3.00	2,070.00
55	40	EA	Furnish, Install, Maintain and Remove Rock Berm as required in the Stormwater Pollution Prevention Plan	55.00	2,200.00	100.00	4,000.00	32.30	1,292.00	58.40	2,336.00	45.00	1,800.00	50.00	2,000.00
56	10,000	SY	Hydromulch with Flexible Growth Medium, Including Fertilizing & Watering to Promote and Establish Growth	2.38	23,800.00	3.50	35,000.00	4.55	45,500.00	2.15	21,500.00	2.00	20,000.00	0.60	6,000.00
BASE BID AMOUNT - (Items 1 - 56)					\$ 717,702.28		\$ 746,171.40		\$ 782,605.20		\$ 823,971.35		\$ 879,879.00		\$ 1,009,487.00
Did Bidder Acknowledge Addendum No. 1?				YES		YES		YES		YES		YES		YES	
Did Bidder Acknowledge Addendum No. 2?				YES		YES		YES		YES		YES		YES	
Did Bidder provide Bid Security?				YES		YES		YES		YES		YES		YES	
Did Bidder provide required documents?				YES		YES		YES		YES		YES		YES	

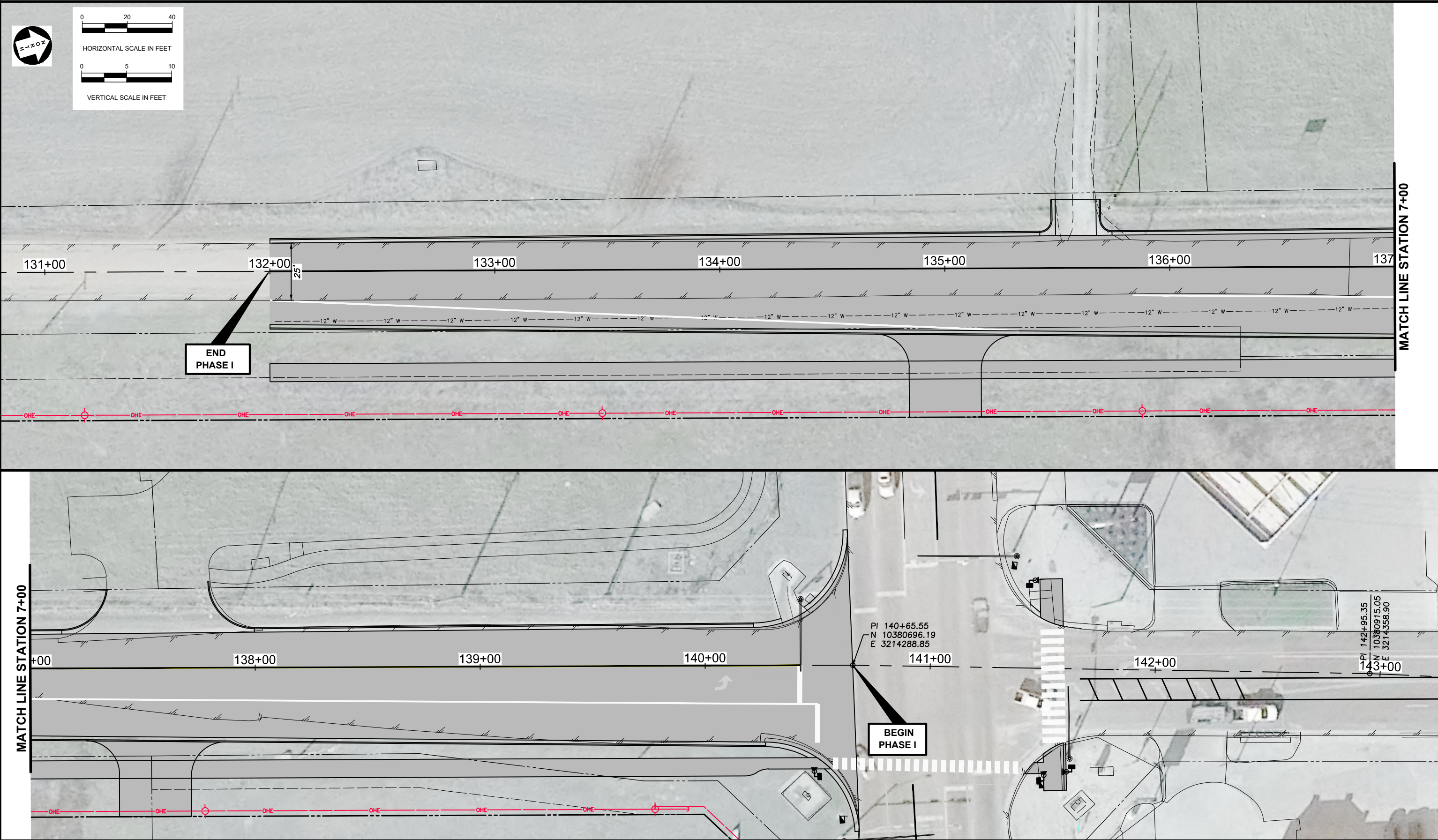
I hereby certify that this is a correct & true tabulation of all bids received


R. David Patric, P.E., CFM
Kasberg, Patrick & Associates, LP

12/14/17
Date



P:\Temple\2016\2016-145 Kegley Road Phase 2\CAD\Exhibits\15-142 Working Full Width.dwg - GR-01



						PROJECT NO. 2015-142			KASBERG, PATRICK & ASSOCIATES, LP CONSULTING ENGINEERS TEMPLE, TEXAS 76501	CITY OF TEMPLE, TEXAS PROPOSED KEGLEY ROAD IMPROVEMENTS PH I			
NO.		DATE		REVISION		BY				DRAWN BY Fabian T. Gomez			STATION BEGINNING TO END
										DESIGNED BY R. David Patrick, P.E.			
										APPROVED BY			
© 2017 Kasberg, Patrick & Associates, LP KPA Firm Registration Number F-510				Plot Date: Dec 13, 2017 - 7:14pm Plotted By: FGOMEZ									
				DATE									

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH LONE STAR GRADING & MATERIALS, LLC OF SALADO, TEXAS IN AN AMOUNT NOT TO EXCEED \$717,702.28, FOR THE CONSTRUCTION OF THE KEGLEY ROAD AND FM 2305 INTERSECTION IMPROVEMENTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, this project will develop intersection improvements to Kegley Road at FM 2305 which include expanded pavement sections, drainage conveyance, striping, signage and traffic control & sequencing;

Whereas, Kegley Road will gain a dedicated left-turn lane for northbound traffic and increased traffic stacking in the left-turn lane;

Whereas, on December 12, 2017, six bids were received for the project with Lone Star Grading & Materials, LLC submitting the low bid in the amount of \$717,702.28;

Whereas, Staff and Kasberg, Patrick & Associates, LP, recommend Council authorize a construction contract with Lone Star, in an amount not to exceed \$717,702.28 for construction of the Kegley Road & FM 2305 Intersection Improvements.

Whereas, funding is available for this construction contract in Account Nos. 365-3400-531-6888 and Account No. 520-5200-535-6357, Project No. 100346; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract with Lone Star Grading & Materials, LLC of Salado, Texas in an amount not to exceed \$717,702.28, for construction of the Kegley Road & FM 2305 Intersection Improvements.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #8(J)
Consent Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director
Don Bond, P.E., City Engineer

ITEM DESCRIPTION: Consider adopting a resolution authorizing a contract with R.T. Schneider Construction Company, Ltd., of Belton, in the amount of \$6,770,497.11 for construction of Phase 2 of Prairie View Road from FM 2483 to North Pea Ridge Road.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City of Temple has adopted a Transportation Capital Improvement Program in which capacity and connectivity improvements to Prairie View Road are identified. The roadway improvements are needed to support the growing area. Proposed development includes the Lake Belton High School campus.

Bids for Phase 2 were opened on November 18, 2017. The City received five bids for the project (Bid Tabulation attached). The engineer's opinion of probable cost was \$7,412,333.50. The engineer is familiar with and recommends award to RTS in the amount of \$6,770,497.11.

The improvements comprise 1.2 miles of four-lane arterial roadway, bicycle lanes, 10'- and 8'-wide sidewalks, and water lines ranging in diameter from 8" to 16". The water line improvements represent \$607,979.10 of the low bid amount.

The proposed timeline for construction is 330 calendar days from the Notice to Proceed.

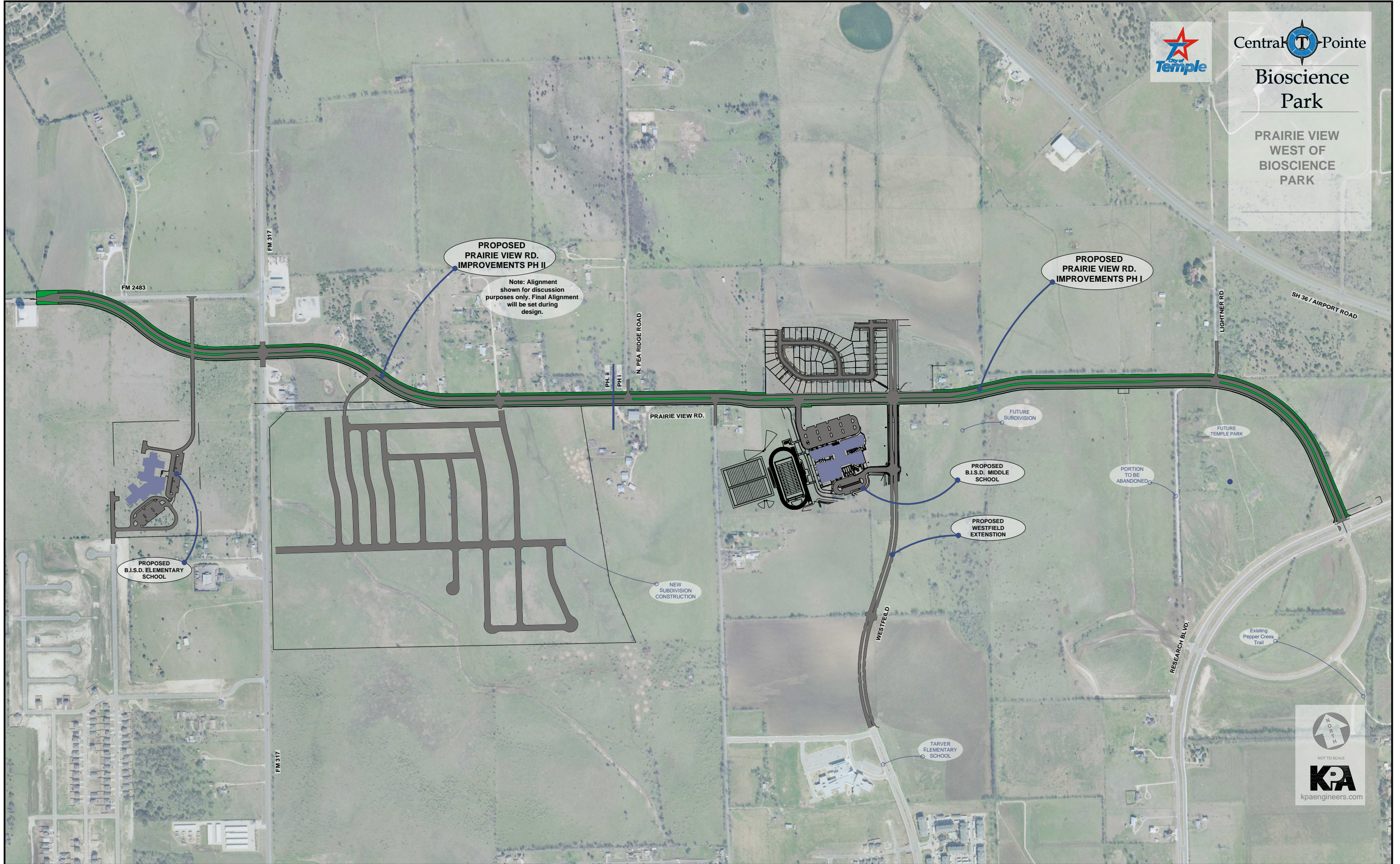
On July 16, 2016, Council authorized an agreement for TXDOT to fund a portion of construction costs not to exceed \$3,888,000 (60% of a construction estimate of \$6,480,000). The City is responsible for all costs exceeding \$3,888,000.

FISCAL IMPACT: Funding for the construction contract with R.T. Schneider Construction Company, Ltd., for the construction of Phase 2 of Prairie View Road in the amount of \$6,770,497.11 is available in project 101257 as follows:

	<u>260-3400-531-6862</u>	<u>365-3400-531-6862</u>	<u>520-5900-535-6521</u>	<u>Total</u>
Project Budget	\$ 7,684,960	\$ 2,521,643	\$ 850,000	\$ 11,056,603
Budget Adjustment	-	133,143	-	133,143
Encumbered/Committed to Date	(96,960)	(2,373,086)	-	(2,470,046)
KPA Contract Amendment #11	-	(281,700)	(31,300)	(313,000)
Construction Award - RT Schneider Construction Company, Ltd	(6,114,268)	-	(656,229)	(6,770,497)
Remaining Project Funds	<u><u>\$ 1,473,732</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 162,471</u></u>	<u><u>\$ 1,636,203</u></u>

ATTACHMENTS:

[Project Map](#)
[Bid Tabulation](#)
[Recommendation Letter](#)
[Resolution](#)



BID TABULATION
PRAIRIE VIEW ROAD IMPROVEMENTS PHASE II
November 21, 2017; 2:00 PM
3210 E Ave H, Bldg C; Temple TX 76501

CSJ 0909-36-155				BIDDER INFORMATION										KPA Final OPC		Compare R.T. Scheider Construction with KPA
				R.T. Schneider Const. Co.,LTD P.O.Box 876 Belton, Tx 76513		TTG Utilities, LP P.O.Box 299 Gatesville, Tx 76528		James Construction Group, LLC 5880 West Hwy 190 Belton, Tx 76513		Smith Contracting Co., Inc 15308 Granger Street Austin, Tx 78728		Mclean Construction, INC 4101 Trimmer Road Killeen, Tx 76543				
Item No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Total	Difference
PART A: FM 2483																
A-1	24	Sta	Provide Labor, Equipment, Tools & Supervision to Complete Preparation of Right-of-way	\$ 2,331.00	\$ 55,944.00	\$ 700.00	\$ 16,800.00	\$ 6,000.00	\$ 144,000.00	\$ 1,800.00	\$ 43,200.00	\$ 3,577.00	\$ 85,848.00	\$ 775.00	\$ 18,600.00	\$ 37,344.00
A-2	1	EA	Remove & Dispose of Existing Sign	550.00	550.00	670.00	670.00	95.00	95.00	600.00	600.00	188.00	188.00	\$ 100.00	\$ 100.00	\$ 450.00
A-3	2,030	LF	Remove & Dispose of Existing Barbed Wire Fence	1.40	2,842.00	2.00	4,060.00	1.50	3,045.00	4.50	9,135.00	2.00	4,060.00	\$ 2.00	\$ 4,060.00	\$ (1,218.00)
A-4	19,820	CY	Unclassified Roadway Excavation, Including Removal of Existing Asphalt Roadway, curb & gutter, & existing drainage pipes & culverts	3.70	73,334.00	5.00	99,100.00	5.50	109,010.00	16.00	317,120.00	16.60	329,012.00	\$ 3.50	\$ 69,370.00	\$ 3,964.00
A-5	3,390	CY	Place & Compact Unclassified Fill (Roadway)	1.25	4,237.50	2.90	9,831.00	11.00	37,290.00	8.00	27,120.00	10.60	35,934.00	\$ 2.50	\$ 8,475.00	\$ (4,237.50)
A-6	100%	LS	Maintenance of R-O-W, including Final Mowing Prior to Project Final Payment	10,000.00	10,000.00	4,445.00	4,445.00	1,800.00	1,800.00	5,500.00	5,500.00	2,163.00	2,163.00	\$ 6,400.00	\$ 6,400.00	\$ 3,600.00
A-7	24,940	SY	12" Crushed Limestone Base Type A Grade 2 or better Base	9.52	237,428.80	13.00	324,220.00	10.00	249,400.00	11.00	274,340.00	15.00	374,100.00	\$ 9.00	\$ 224,460.00	\$ 12,968.80
A-8	3,330	SY	13" Crushed Limestone Base	10.25	34,132.50	10.20	33,966.00	11.00	36,630.00	11.50	38,295.00	17.00	56,610.00	\$ 8.70	\$ 28,971.00	\$ 5,161.50
A-9	5,660	Gal	Furish & Install Prime Coat (MC-30 or AE-P) using an Estimated 0.20 Gals per SY	2.60	14,716.00	2.75	15,565.00	2.50	14,150.00	2.65	14,999.00	2.70	15,282.00	\$ 3.10	\$ 17,546.00	\$ (2,830.00)
A-10	24,940	SY	One Course Surface Treatment	2.25	56,115.00	2.40	59,856.00	2.20	54,868.00	2.30	57,362.00	2.40	59,856.00	\$ 2.80	\$ 69,832.00	\$ (13,717.00)
A-11	25,110	SY	2" Type "C" HMAC with Prime & Tack Coat	7.80	195,858.00	8.35	209,668.50	7.50	188,325.00	8.00	200,880.00	8.10	203,391.00	\$ 11.00	\$ 276,210.00	\$ (80,352.00)
A-12	22,590	SY	4" Type "B" HMAC	14.70	332,073.00	15.80	356,922.00	14.20	320,778.00	15.00	338,850.00	15.30	345,627.00	\$ 20.00	\$ 451,800.00	\$ (119,727.00)
A-13	100%	LS	Submit Trench Safety Plan prepared & signed by P.E., in Conformance with State	945.00	945.00	845.00	845.00	2,000.00	2,000.00	1,000.00	1,000.00	1,095.00	1,095.00	\$ 640.00	\$ 640.00	\$ 305.00
A-14	2,710	LF	Implement & Follow Trench Safety Plan (Pipe)	1.63	4,417.30	1.45	3,929.50	1.50	4,065.00	1.00	2,710.00	1.50	4,065.00	\$ 1.00	\$ 2,710.00	\$ 1,707.30
A-15	26,690	SF	Implement & Follow Trench Safety Plan (Structures)	0.53	14,145.70	0.75	20,017.50	0.30	8,007.00	1.00	26,690.00	1.00	26,690.00	\$ 0.55	\$ 14,679.50	\$ (533.80)
A-16	100	CY	Miscellaneous Class A Concrete	240.00	24,000.00	390.00	39,000.00	350.00	35,000.00	375.00	37,500.00	332.00	33,200.00	\$ 185.00	\$ 18,500.00	\$ 5,500.00
A-17	210	SY	24" Rock Rip-Rap	61.00	12,810.00	54.90	11,529.00	60.00	12,600.00	60.00	12,600.00	78.30	16,443.00	\$ 130.00	\$ 27,300.00	\$ (14,490.00)
A-18	27	LF	48" Class III Reinforced Concrete Pipe	244.65	6,605.55	221.00	5,967.00	300.00	8,100.00	200.00	5,400.00	241.60	6,523.20	\$ 130.00	\$ 3,510.00	\$ 3,095.55
A-19	67	LF	36" Class III Reinforced Concrete Pipe	144.11	9,655.37	130.00	8,710.00	150.00	10,050.00	140.00	9,380.00	146.30	9,802.10	\$ 95.00	\$ 6,365.00	\$ 3,290.37
A-20	760	LF	18" Class III Reinforced Concrete Pipe	51.29	38,980.40	46.40	35,264.00	55.00	41,800.00	65.00	49,400.00	72.10	54,796.00	\$ 50.00	\$ 38,000.00	\$ 980.40
A-21	2	EA	Safety End Treatment with 4:1 side slopes for 8'x3' Reinforced Concrete Box	10,185.00	20,370.00	9,210.00	18,420.00	13,000.00	26,000.00	10,100.00	20,200.00	19,350.00	38,700.00	\$ 10,000.00	\$ 20,000.00	\$ 370.00
A-22	1	EA	Safety End Treatment with 4:1 side slopes for 48" Diameter Reinforced Concrete Pipe	7,098.00	7,098.00	6,420.00	6,420.00	9,500.00	9,500.00	8,300.00	8,300.00	9,985.00	9,985.00	\$ 3,700.00	\$ 3,700.00	\$ 3,398.00
A-23	2	EA	15' X 6.5' Curb Inlet	4,399.50	8,799.00	3,980.00	7,960.00	6,000.00	12,000.00	7,300.00	14,600.00	6,520.00	13,040.00	\$ 8,400.00	\$ 16,800.00	\$ (8,001.00)
A-24	1	EA	15' X 6' Curb Inlet	4,394.25	4,394.25	3,980.00	3,980.00	6,000.00	6,000.00	6,300.00	6,300.00	6,520.00	6,520.00	\$ 7,800.00	\$ 7,800.00	\$ (3,405.75)
A-25	4	EA	15' X 4.5' Curb Inlet	5,528.25	22,113.00	5,000.00	20,000.00	6,000.00	24,000.00	5,000.00	20,000.00	5,805.00	23,220.00	\$ 6,450.00	\$ 25,800.00	\$ (3,687.00)
A-26	1	EA	15' X 3' Curb Inlet	5,082.00	5,082.00	4,600.00	4,600.00	6,000.00	6,000.00	4,600.00	4,600.00	5,583.00	5,583.00	\$ 6,300.00	\$ 6,300.00	\$ (1,218.00)
A-27	1	EA	5' X 5' Area Inlet	2,903.25	2,903.25	2,630.00	2,630.00	4,200.00	4,200.00	4,500.00	4,500.00	2,968.00	2,968.00	\$ 5,200.00	\$ 5,200.00	\$ (2,296.75)
A-28	1	EA	10' X 10' Concrete Junction Box	14,358.75	14,358.75	13,000.00	13,000.00	14,000.00	14,000.00	7,200.00	7,200.00	8,935.00	8,935.00	\$ 10,000.00	\$ 10,000.00	\$ 4,358.75
A-29	2	EA	14 X 6' Concrete Junction Box	11,287.50	22,575.00	10,200.00	20,400.00	17,000.00	34,000.00	7,300.00	14,600.00	7,591.00	15,182.00	\$ 9,200.00	\$ 18,400.00	\$ 4,175.00
A-30	1	EA	15' X 6' Concrete Junction Box	12,983.25	12,983.25	11,800.00	11,800.00	14,000.00	14,000.00	7,700.00	7,700.00	7,442.00	7,442.00	\$ 11,350.00	\$ 11,350.00	\$ 1,633.25
A-31	105	LF	48" Class III Reinforced Concrete Pipe by Jack, Bore or Tunnel	1,365.00	143,325.00	1,230.00	129,150.00	2,200.00	231,000.00	1,300.00	136,500.00	1,306.40	137,172.00	\$ 750.00	\$ 78,750.00	\$ 64,575.00
A-32	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	135,492.00	135,492.00	100,000.00	100,000.00	155,000.00	155,000.00	150,000.00	150,000.00	104,315.00	104,315.00	\$142,000.00	\$ 142,000.00	\$ (6,508.00)
A-33	100%	LS	Furnish, Install, Maintain & Remove Temporary Pavement & Temporary Striping per TCP Sheets provided in the Plans	65,030.00	65,030.00	54,300.00	54,300.00	85,000.00	85,000.00	52,000.00	52,000.00	79,028.00	79,028.00	\$ 67,000.00	\$ 67,000.00	\$ (1,970.00)
A-34	11	MO	Implement & Administer Barricade, Signing & Traffic Safety Plan (Vehicular & Pedestrian)	2,000.00	22,000.00	2,800.00	30,800.00	11,900.00	130,900.00	3,000.00	33,000.00	7,235.00	79,585.00	\$ 1,500.00	\$ 16,500.00	\$ 5,500.00
A-35	100%	LS	Prepare & Implement Stormwater Pollution Prevention Plan, Including Submission to & Receiving Permits from Texas Commission on Environmental Quality (TCEQ)	1,500.00	1,500.00	790.00	790.00	5,000.00	5,000.00	6,500.00	6,500.00	1,965.00	1,965.00	\$ 2,790.00	\$ 2,790.00	\$ (1,290.00)
A-36	2,830	LF	Furnish, Install, Maintain & Remove Silt Fence as required in the Stormwater Pollution Prevention Plan	2.30	6,509.00	2.65	7,499.50	5.00	14,150.00	2.75	7,782.50	2.70	7,641.00	\$ 2.00	\$ 5,660.00	\$ 849.00
A-37	70	LF	Furnish, Install, Maintain & Remove Rock Berm as required in the Stormwater Pollution Prevention Plan	10.00	700.00	16.90	1,183.00	45.00	3,150.00	31.00	2,170.00	49.30	3,451.00	\$ 20.00	\$ 1,400.00	\$ (700.00)
A-38	3,360	LF	Construct 24-Inch Wide Concrete Curb & Gutter	11.00	36,960.00	12.50	42,000.00	20.00	67,200.00	12.50	42,000.00	12.10	40,656.00	\$ 15.00	\$ 50,400.00	\$ (13,440.00)
A-39	1,350	LF	Construct 24-Inch Wide Concrete Ribbon Curb	9.00	12,150.00	10.70	14,445.00	20.00	27,000.00	11.00	14,850.00	12.10	16,335.00	\$ 12.00	\$ 16,200.00	\$ (4,050.00)
A-40	910	SY	6" Concrete Driveway including 6" of Crushed Limestone Base Material per Plans & Details	52.00	47,320.00	57.60	52,416.00	60.00	54,600.00	64.00	58,240.00	71.00	64,610.00	\$ 40.00	\$ 36,400.00	\$ 10,920.00
A-41	2,550	SY	Construct 10' Wide ADA Compliant Sidewalk	40.75	103,912.50	39.50	100,725.00	31.00								

BID TABULATION
PRAIRIE VIEW ROAD IMPROVEMENTS PHASE II
November 21, 2017; 2:00 PM
3210 E Ave H, Bldg C; Temple TX 76501

CSJ 0909-36-155				BIDDER INFORMATION										KPA Final OPC		Compare R.T. Scheider Construction with KPA
				R.T. Schneider Const. Co.,LTD P.O.Box 876 Belton, Tx 76513		TTG Utilities, LP P.O.Box 299 Gatesville, Tx 76528		James Construction Group, LLC 5880 West Hwy 190 Belton, Tx 76513		Smith Contracting Co., Inc 15308 Granger Street Austin, Tx 78728		Mclean Construction, INC 4101 Trimmer Road Killeen, Tx 76543				
Item No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Total	Difference
A-65	3,570	LF	4" Yellow Skip (Dash) Thermo Plastic Striping, Running Length of Roadway at Spacing per Plans & Details, Including Reflective Pavement Markers	0.15	535.50	0.17	606.90	0.14	499.80	0.60	2,142.00	0.20	714.00	\$ 0.50	\$ 1,785.00	\$ (1,249.50)
A-66	12,450	LF	4" Single White Solid Thermo Plastic Striping	0.60	7,470.00	0.70	8,715.00	0.55	6,847.50	0.35	4,357.50	0.60	7,470.00	\$ 0.40	\$ 4,980.00	\$ 2,490.00
A-67	3,360	LF	4" White Skip (Dash) Thermo Plastic Striping, Running Length of Roadway at Spacing per Plans & Details, Including Reflective Pavement Markers	0.15	504.00	0.17	571.20	0.14	470.40	0.60	2,016.00	0.20	672.00	\$ 0.30	\$ 1,008.00	\$ (504.00)
A-68	250	LF	24" White Stop Bar Thermo Plastic Striping	8.40	2,100.00	9.00	2,250.00	8.00	2,000.00	5.40	1,350.00	8.80	2,200.00	\$ 7.00	\$ 1,750.00	\$ 350.00
A-69	470	LF	White Crosswalk Thermo Plastic Striping	10.50	4,935.00	11.30	5,311.00	10.00	4,700.00	5.40	2,538.00	11.00	5,170.00	\$ 20.00	\$ 9,400.00	\$ (4,465.00)
A-70	21	EA	White Directional Arrow Thermo Plastic Striping	94.50	1,984.50	102.00	2,142.00	90.00	1,890.00	95.00	1,995.00	99.00	2,079.00	\$ 125.00	\$ 2,625.00	\$ (640.50)
A-71	8	EA	White "ONLY" Thermo Plastic Striping	173.25	1,386.00	185.00	1,480.00	165.00	1,320.00	125.00	1,000.00	181.00	1,448.00	\$ 144.00	\$ 1,152.00	\$ 234.00
A-72	6	EA	White Bicycle Lane Emblem Thermo Plastic Striping	262.50	1,575.00	282.00	1,692.00	250.00	1,500.00	510.00	3,060.00	274.00	1,644.00	\$ 155.00	\$ 930.00	\$ 645.00
A-73	100%	LS	Traffic Signal	226,800.00	226,800.00	237,000.00	237,000.00	220,408.16	220,408.16	280,000.00	280,000.00	274,845.00	274,845.00	\$325,000.00	\$ 325,000.00	\$ (98,200.00)
A-74	100%	LS	Provide DVD of right-of-way pre-construction & post construction site conditions	500.00	500.00	522.00	522.00	200.00	200.00	1,200.00	1,200.00	1,314.00	1,314.00	\$ 500.00	\$ 500.00	\$ -
A-75	11,930	SY	Bermuda seeding with fertilizer with Flexterra Flexible growth medium including watering to promote & sustain growth throughout the project	2.34	27,916.20	1.45	17,298.50	1.80	21,474.00	3.00	35,790.00	1.50	17,895.00	\$ 2.00	\$ 23,860.00	\$ 4,056.20
A-76	1,650	LF	16" Diameter Ductile Iron Water Line, including Thrust Restraint	64.63	106,639.50	58.50	96,525.00	68.00	112,200.00	76.00	125,400.00	63.00	103,950.00	\$ 100.00	\$ 165,000.00	\$ (58,360.50)
A-77	110	LF	12" Diameter C900 DR-18 PVC Water Line, including Thrust Restraint	46.20	5,082.00	42.00	4,620.00	49.00	5,390.00	66.00	7,260.00	44.30	4,873.00	\$ 60.00	\$ 6,600.00	\$ (1,518.00)
A-78	20	LF	2" Diameter C900 DR-18 PVC Water Line, including Thrust Restraint	25.20	504.00	23.00	460.00	26.00	520.00	20.00	400.00	27.70	554.00	\$ 30.00	\$ 600.00	\$ (96.00)
A-79	200	LF	28" Diameter Steel Encasement by Open Cut	174.30	34,860.00	158.00	31,600.00	181.00	36,200.00	180.00	36,000.00	181.60	36,320.00	\$ 160.00	\$ 32,000.00	\$ 2,860.00
A-80	130	LF	24" Diameter Steel Encasement by Bore	355.95	46,273.50	322.00	41,860.00	365.00	47,450.00	455.00	59,150.00	421.40	54,782.00	\$ 425.00	\$ 55,250.00	\$ (8,976.50)
A-81	4	EA	16" 45° Bend	1,401.75	5,607.00	1,270.00	5,080.00	1,433.00	5,732.00	1,300.00	5,200.00	1,596.00	6,384.00	\$ 800.00	\$ 3,200.00	\$ 2,407.00
A-82	1	EA	16" 11.25° Bend	1,375.50	1,375.50	1,250.00	1,250.00	1,412.00	1,412.00	1,300.00	1,300.00	1,038.00	1,038.00	\$ 1,750.00	\$ 1,750.00	\$ (374.50)
A-83	4	EA	16" Gate Valve	6,226.50	24,906.00	5,635.00	22,540.00	6,418.00	25,672.00	9,000.00	36,000.00	6,216.00	24,864.00	\$ 3,000.00	\$ 12,000.00	\$ 12,906.00
A-84	1	EA	12" Gate Valve	2,115.75	2,115.75	1,920.00	1,920.00	2,172.00	2,172.00	3,500.00	3,500.00	2,406.00	2,406.00	\$ 1,500.00	\$ 1,500.00	\$ 615.75
A-85	2	EA	16" X 16" Tee	2,556.75	5,113.50	2,320.00	4,640.00	2,621.00	5,242.00	2,400.00	4,800.00	2,568.00	5,136.00	\$ 1,250.00	\$ 2,500.00	\$ 2,613.50
A-86	1	EA	16" X 12" Reducer	1,118.25	1,118.25	1,015.00	1,015.00	1,155.00	1,155.00	950.00	950.00	1,430.00	1,430.00	\$ 750.00	\$ 750.00	\$ 368.25
A-87	3	EA	Provide Labor, Equipment, Tools & Supervision to Cut & Cap 16" Waterline	1,081.50	3,244.50	970.00	2,910.00	1,102.00	3,306.00	3,400.00	10,200.00	2,531.00	7,593.00	\$ 1,000.00	\$ 3,000.00	\$ 244.50
A-88	3	EA	Provide Labor, Equipment, Tools & Supervision to Connect to 16" Waterline	2,483.25	7,449.75	2,250.00	6,750.00	2,546.00	7,638.00	2,700.00	8,100.00	2,995.00	8,985.00	\$ 3,000.00	\$ 9,000.00	\$ (1,550.25)
A-89	1	EA	Provide Labor, Equipment, Tools & Supervision to Connect to 2" Waterline	1,470.00	1,470.00	1,340.00	1,340.00	1,519.00	1,519.00	700.00	700.00	1,306.00	1,306.00	\$ 1,000.00	\$ 1,000.00	\$ 470.00
A-90	1	EA	Provide Labor, Equipment, Tools & Supervision for 2" Wet Tap with Valve	1,874.25	1,874.25	1,700.00	1,700.00	1,904.00	1,904.00	1,400.00	1,400.00	1,478.00	1,478.00	\$ 2,000.00	\$ 2,000.00	\$ (125.75)
A-91	3	EA	Install Standard Fire Hydrant Assembly	5,118.75	15,356.25	4,640.00	13,920.00	5,241.00	15,723.00	6,600.00	19,800.00	4,755.00	14,265.00	\$ 3,500.00	\$ 10,500.00	\$ 4,856.25
A-92	1	EA	Provide Labor, Equipment, Tools & Supervision to Relocate Existing Water Meter	1,050.00	1,050.00	950.00	950.00	1,080.00	1,080.00	1,000.00	1,000.00	1,616.00	1,616.00	\$ 2,000.00	\$ 2,000.00	\$ (950.00)
A-93	100%	LS	Furnish All Materials, Equipment, Tools & Labor Necessary for Pressure Testing Pipeline, Including Any Necessary Repairs	3,543.75	3,543.75	3,200.00	3,200.00	3,637.00	3,637.00	4,000.00	4,000.00	4,134.00	4,134.00	\$ 1,650.00	\$ 1,650.00	\$ 1,893.75
A-94	100%	LS	water sampling Stations	2,598.75	2,598.75	2,350.00	2,350.00	2,658.00	2,658.00	2,200.00	2,200.00	1,909.00	1,909.00	\$ 1,000.00	\$ 1,000.00	\$ 1,598.75
A-95	100%	LS	Temporary flush assemblies	3,228.75	3,228.75	2,920.00	2,920.00	3,311.00	3,311.00	13,000.00	13,000.00	1,399.00	1,399.00	\$ 3,500.00	\$ 3,500.00	\$ (271.25)
A-96	100%	LS	Prepare & Submit Notice of Termination to TCEQ	500.00	500.00	170.00	170.00	1,000.00	1,000.00	600.00	600.00	435.00	435.00	\$ 80.00	\$ 80.00	\$ 420.00
A-97	100%	LS	Provide Project Record Drawings	1,500.00	1,500.00	850.00	850.00	2,000.00	2,000.00	600.00	600.00	1,034.00	1,034.00	\$ 3,100.00	\$ 3,100.00	\$ (1,600.00)
A-98	2	EA	Stabilized Construction Entrance	1,000.00	2,000.00	2,300.00	4,600.00	1,800.00	3,600.00	1,200.00	2,400.00	1,643.00	3,286.00	\$ 1,125.00	\$ 2,250.00	\$ (250.00)
A-99	28,270	SY	6" Moisture Conditioned Subgrade	0.60	16,962.00	1.25	35,337.50	1.20	33,924.00	2.50	70,675.00	1.20	33,924.00	\$ 3.00	\$ 84,810.00	\$ (67,848.00)
A-100	230	LF	Sawcut Existing Asphalt	3.00	690.00	2.60	598.00	3.00	690.00	6.00	1,380.00	10.50	2,415.00	\$ 2.50	\$ 575.00	\$ 115.00
TOTAL PART A - FM 2483 BID AMOUNT (ITEMS 1 - 100)					\$ 2,718,274.32		\$ 2,762,786.60		\$ 3,143,585.36		\$ 3,227,641.40		\$ 3,393,744.00		\$2,954,369.50	\$ (236,095.18)

BID TABULATION
PRAIRIE VIEW ROAD IMPROVEMENTS PHASE II
November 21, 2017; 2:00 PM
3210 E Ave H, Bldg C; Temple TX 76501

CSJ 0909-36-155				BIDDER INFORMATION								KPA Final OPC		Compare R.T. Scheider Construction with KPA
				R.T. Schneider Const. Co.,LTD P.O.Box 876 Belton, Tx 76513		TTG Utilities, LP P.O.Box 299 Gatesville, Tx 76528		James Construction Group, LLC 5880 West Hwy 190 Belton, Tx 76513		Smith Contracting Co., Inc 15308 Granger Street Austin, Tx 78728		Mclean Construction, INC 4101 Trimmer Road Killeen, Tx 76543		
Item No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Total	Difference
B-30	6	EA	15' X 5.5' Curb Inlet	5,533.50	33,201.00	5,000.00	30,000.00	6,000.00	36,000.00	6,000.00	36,000.00	5,814.00	\$ 7,100.00	\$ (9,399.00)
B-31	2	EA	15' X 5' Curb Inlet	5,533.50	11,067.00	5,000.00	10,000.00	6,000.00	12,000.00	5,000.00	10,000.00	5,125.00	\$ 6,500.00	\$ (1,933.00)
B-32	1	EA	15' X 4.5' Curb Inlet	5,533.50	5,533.50	5,000.00	5,000.00	6,000.00	6,000.00	5,000.00	5,000.00	5,797.00	\$ 6,450.00	\$ (916.50)
B-33	13	EA	15' X 4' Curb Inlet	5,528.25	71,867.25	5,000.00	65,000.00	6,000.00	78,000.00	5,000.00	65,000.00	4,902.00	\$ 6,400.00	\$ (11,332.75)
B-34	1	EA	5' X 5' Area Inlet	2,903.25	2,903.25	2,625.00	2,625.00	4,000.00	4,000.00	4,300.00	4,300.00	3,011.00	\$ 5,200.00	\$ (2,296.75)
B-35	2	EA	Concrete Headwall with Straight Wingwalls for 3 - 4' X 2' Reinforced Concrete Box including concrete apron	8,200.50	16,401.00	7,420.00	14,840.00	8,500.00	17,000.00	14,000.00	28,000.00	16,832.00	\$ 11,500.00	\$ (6,599.00)
B-36	2	EA	Concrete Headwall with Straight Wingwalls for 3 - 4' X 3' Reinforced Concrete Box including concrete apron	8,704.50	17,409.00	7,880.00	15,760.00	14,000.00	28,000.00	17,000.00	34,000.00	17,051.00	\$ 13,600.00	\$ (9,791.00)
B-37	1	EA	Concrete Headwall with Straight Wingwalls for 1 - 9' X 4' Reinforced Concrete Box including concrete apron	10,400.25	10,400.25	9,415.00	9,415.00	11,000.00	11,000.00	19,000.00	19,000.00	16,841.00	\$ 14,000.00	\$ (3,599.75)
B-38	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	154,900.00	154,900.00	150,000.00	150,000.00	230,000.00	230,000.00	225,000.00	225,000.00	111,681.00	\$227,215.00	\$ (72,315.00)
B-39	100%	LS	Furnish, Install, Maintain & Remove Temporary Pavement & Temporary Striping per TCP Sheet provided in the Plans	23,500.00	23,500.00	25,500.00	25,500.00	45,000.00	45,000.00	22,000.00	22,000.00	37,723.00	\$ 4,800.00	\$ 18,700.00
B-40	11	MO	Implement & Administer Barricade, Signing & Traffic Safety Plan (Vehicular & Pedestrian)	2,000.00	22,000.00	2,800.00	30,800.00	11,800.00	129,800.00	3,000.00	33,000.00	6,700.00	\$ 3,500.00	\$ (16,500.00)
B-41	100%	LS	Prepare & Implement Stormwater Pollution Prevention Plan, Including Submission to & Receiving Permits from Texas Commission on Environmental Quality (TCEQ)	1,500.00	1,500.00	790.00	790.00	5,000.00	5,000.00	6,500.00	6,500.00	2,669.00	\$ 3,960.00	\$ (2,460.00)
B-42	6,800	LF	Furnish, Install, Maintain & Remove Silt Fence as required in the Stormwater Pollution Prevention Plan	2.30	15,640.00	2.65	18,020.00	5.00	34,000.00	2.75	18,700.00	2.70	\$ 2.00	\$ 2,040.00
B-43	170	LF	Furnish, Install, Maintain & Remove Rock Berm as required in the Stormwater Pollution Prevention Plan	10.00	1,700.00	16.90	2,873.00	45.00	7,650.00	31.00	5,270.00	49.30	\$ 20.00	\$ (1,700.00)
B-44	13,020	SF	Median Pavers Per Details, Including Subgrade Preperation	7.50	97,650.00	5.50	71,610.00	9.30	121,086.00	7.00	91,140.00	4.70	\$ 11.00	\$ (45,570.00)
B-45	14,140	LF	Construct 24-Inch Wide Concrete Curb & Gutter	11.00	155,540.00	12.00	169,680.00	20.00	282,800.00	13.00	183,820.00	12.10	\$ 15.00	\$ (56,560.00)
B-46	620	SY	6" Concrete Driveway including 6" of Crushed Limestone Base Material per Plans & Details	52.00	32,240.00	55.70	34,534.00	60.00	37,200.00	64.00	39,680.00	75.40	\$ 40.00	\$ 7,440.00
B-47	3,880	SY	Construct 10' Wide ADA Compliant Sidewalk	40.75	158,110.00	38.20	148,216.00	31.00	120,280.00	44.00	170,720.00	44.20	\$ 32.00	\$ 33,950.00
B-48	3,130	SY	Construct 8' Wide ADA Compliant Sidewalk	40.75	127,547.50	38.20	119,566.00	31.00	97,030.00	44.00	137,720.00	44.50	\$ 32.00	\$ 27,387.50
B-49	11	EA	TxDOT Curb Ramp, Type 7	1,100.00	12,100.00	840.00	9,240.00	1,900.00	20,900.00	2,100.00	23,100.00	2,075.00	\$ 1,500.00	\$ (4,400.00)
B-50	2	EA	Relocate/Reconstruct Existing Metal/Wood Post Mail Boxes, Including Maintaining Mail Access Throughout Construction	250.00	500.00	395.00	790.00	300.00	600.00	900.00	1,800.00	986.00	\$ 475.00	\$ (450.00)
B-51	9	EA	Street Light Foundations	1,000.00	9,000.00	2,850.00	25,650.00	1,581.63	14,234.67	2,400.00	21,600.00	2,409.00	\$ 1,500.00	\$ (4,500.00)
B-52	2,120	LF	2" Schedule 40 PVC Conduit	8.25	17,490.00	12.40	26,288.00	14.29	30,294.80	12.00	25,440.00	12.00	\$ 8.00	\$ 530.00
B-53	220	LF	2" Schedule 80 PVC Conduit	9.00	1,980.00	32.70	7,194.00	32.65	7,183.00	32.00	7,040.00	32.00	\$ 9.85	\$ (187.00)
B-54	8	EA	Small Hand Hole	610.00	4,880.00	900.00	7,200.00	622.45	4,979.60	875.00	7,000.00	876.00	\$ 830.00	\$ (1,760.00)
B-55	1	EA	Large Hand Hole	1,100.00	1,100.00	2,140.00	2,140.00	1,122.45	1,122.45	2,050.00	2,050.00	2,081.00	\$ 1,000.00	\$ 100.00
B-56	6	EA	Stop Sign R1-1 including post, base & all appurtenances	370.00	2,220.00	450.00	2,700.00	400.00	2,400.00	415.00	2,490.00	538.00	\$ 250.00	\$ 720.00
B-57	2	EA	Yield Sign R1-2 including post, base & all appurtenances	370.00	740.00	450.00	900.00	400.00	800.00	415.00	830.00	538.00	\$ 330.00	\$ 80.00
B-58	4	EA	Speed Limit Sign R2-1 including post, base & all appurtenances	370.00	1,480.00	450.00	1,800.00	400.00	1,600.00	415.00	1,660.00	427.00	\$ 320.00	\$ 200.00
B-59	1	EA	Left Lane Must Turn Left R3-7L including post, base & all appurtenances	370.00	370.00	450.00	450.00	400.00	400.00	415.00	415.00	466.00	\$ 250.00	\$ 120.00
B-60	2	EA	Do Not Enter Sign R5-1 including post, base & all appurtenances	370.00	740.00	450.00	900.00	400.00	800.00	415.00	830.00	439.00	\$ 250.00	\$ 240.00
B-61	2	EA	Wrong Way Sign R5-1a including post, base & all appurtenances	370.00	740.00	450.00	900.00	400.00	800.00	415.00	830.00	437.00	\$ 250.00	\$ 240.00
B-62	191	LF	1 - 3' X 2' Reinforced Concrete Box including Bedding & Backfill	212.10	40,511.10	191.50	36,576.50	140.00	26,740.00	165.00	31,515.00	191.00	\$ 215.00	\$ (553.90)
B-63	861	LF	1 - 4' X 2' Reinforced Concrete Box including Bedding & Backfill	254.10	218,780.10	230.00	198,030.00	180.00	154,980.00	197.00	169,617.00	230.00	\$ 130.00	\$ 106,850.10
B-64	104	LF	1 - 9' X 4' Reinforced Concrete Box including Bedding & Backfill	670.95	69,778.80	607.00	63,128.00	500.00	52,000.00	530.00	55,120.00	559.80	\$ 630.00	\$ 4,258.80
B-65	217	LF	3 - 4' X 2' Reinforced Concrete Box including Bedding & Backfill	661.50	143,545.50	597.00	129,549.00	550.00	119,350.00	575.00	124,775.00	619.80	\$ 590.00	\$ 15,515.50
B-66	131	LF	3 - 4' X 3' Reinforced Concrete Box including Bedding & Backfill	721.67	94,538.77	653.00	85,543.00	650.00	85,150.00	997.00	130,607.00	685.00	\$ 630.00	\$ 12,008.77
B-67	95	LF	TxDOT Type PR1 Pedestrian Rail	90.00	8,550.00	84.00	7,980.00	165.00	15,675.00	100.00	9,500.00	111.00	\$ 125.00	\$ (3,325.00)
B-68	8,300	LF	4" White Solid Thermo Plastic Striping	0.70	5,810.00	0.75	6,225.00	0.65	5,395.00	0.36	2,988.00	0.70	\$ 1.00	\$ (2,490.00)
B-69	2,160	LF	Single 4" Yellow Solid Thermo Plastic Striping	0.60	1,296.00	0.63	1,360.80	0.55	1,188.00	0.36	777.60	0.60	\$ 0.50	\$ 216.00
B-70	2,160	LF	4" Yellow Skip (Dash) Thermo Plastic Striping, Running Length of Roadway at Spacing per Plans & Details, Including Reflective Pavement Markers	0.15	324.00	0.17	367.20	0.14	302.40	0.60	1,296.00	0.20	\$ 0.50	\$ (756.00)
B-71	7,090	LF	4" White Skip (Dash) Thermo Plastic Striping, Running Length of Roadway at Spacing per Plans & Details, Including Reflective Pavement Markers	0.15	1,063.50	0.17	1,205.30	0.14	992.60	0.60	4,254.00	0.20	\$ 0.30	\$ (1,063.50)
B-72	110	LF	24" White Stop Bar Thermo Plastic Striping	8.40	924.00	9.00	990.00	8.00	880.00	5.15	566.50	8.80	\$ 7.00	\$ 154.00
B-73	210	LF	White Crosswalk Thermo Plastic Striping	10.50	2,205.00	11.30	2,373.00	10.00	2,100.00	5.25	1,102.50	11.00	\$ 20.00	\$ (1,995.00)
B-74	5	EA	White Directional Arrow Thermo Plastic Striping	94.50	472.50	102.00	510.00	90.00	450.00	93.00	465.00	99.00	\$ 125.00	\$ (152.50)
B-75	5	EA	White "ONLY" Thermo Plastic Striping	173.25	866.25	185.00	925.00	165.00	825.00	120.00	600.00	181.00	\$ 144.00	\$ 146.25
B-76	6	EA	White Bicycle Lane Emblem Thermo Plastic Striping	262.50	1,575.00	282.00	1,692.00	250.00	1,500.00	500.00	3,000.00	274.00	\$ 155.00	\$ 645.00
B-77	1	LS	Provide DVD of right-of-way pre-construction & post construction site conditions for the total project	500.00	500.00	522.00	522.00	200.00	200.00	1,100.00	1,100.00	1,314.00	\$ 700.00	\$ (200.00)
B-78	50,750	SY	Bermuda seeding with fertilizer with Flexterra Flexible growth medium including watering to promote & sustain growth throughout the project	3.18	161,385.00	1.25	63,437.50	1.80	91,350.00	3.00	152,250.00	1.50	\$ 2.00	\$ 59,885.00
B-79	100%	LS	Furnish an Irrigation Plan Designed & Sealed by a Licensed Irrigator per Requirements of Landscape Plans, & Install the Plan, Including But Not Limited to Irrigation Pipe, Irrigation Controller(s), Irrigation Meter(s), Irrigation Valves, Irrigation Valve Boxes, Wiring, Pipe Sleeves, Backflow Prevention Devices & all applicable Components of the Irrigation System	47,250.00	47,250.00	28,200.00	28,200.00	25,000.00	25,000.00	28,000.00	28,000.00	102,067.00	\$ 58,700.00	\$ (11,450.00)
B-80	3,680	LF	12" Diameter C900 DR-18 PVC Water Line, including Thrust Restraint	37.38	137,558.40	34.00	125,120.00	40.00	147,200.00	58.00	213,440.00	43.00	\$ 42.50	\$ (18,416.60)
B-81	690	LF	8" Diameter C900 DR-18 PVC Water Line, including Thrust Restraint	27.41	18,912.90	25.00	17,250.00	30.00	20,700.00	54.00	37,260.00	33.20	\$ 42.00	\$ (10,067.10)
B-82	40	LF	2" Diameter C900 DR-18 PVC Water Line, including Thrust Restraint	25.20	1,008.00	23.00	920.00	26.00	1,040.00	20.00	800.00	21.60	\$ 30.00	\$ (192.00)
B-83	390	LF	24" Diameter Steel Encasement by Open Cut	112.35	43,816.50	101.20	39,468.00	118.00	46,020.00	110.00	42,900.00	142.80	\$ 150.00	\$ (14,683.50)
B-84	320	LF	16" Steel Encasement by Open Cut	85.05	27,216.00	76.00	24,320.00	88.00	28,160.00	94.00	30,080.00	102.20	\$ 120.00	\$ (11,184.00)
B-85	1	EA	12" 90° Bend	892.50	892.50	808.00	808.00	915.00	915.00	800.00	800.00	940.00	\$ 620.00	\$ 272.50
B-86	6	EA	12" 45° Bend	811.65	4,869.90	735.00	4,410.00	835.00	5,010.00	670.00	4,020.00	853.00	\$ 590.00	\$ 1,329.90
B-87	8	EA	12" 11.25° Bend	750.75	6,006.00	680.00	5,440.00	770.00	6,160.00	600.00	4,800.00	787.00	\$ 550.00	\$ 1,606.00
B-88	4	EA	8" 45° Bend	462.00	1,848.00	417.00	1,668.00	481.00	1,924.00	310.00	1,240.00	625.00	\$ 450.00	\$ 48.00
B-89	3	EA	12" Gate Valve	2,115.75	6,347.25	1,915.00	5,745.00	2,171.00	6,513.00	3,400.00	10,200.00	2,235.00	\$ 1,500.00	\$ 1,847.25
B-90	8	EA	8" Gate Valve	1,244.25	9,954.00	1,130.00	9,040.00	1,284.00	10,272.00	2,100.00	16,800.00	1,376.00	\$ 1,335.00	\$ (726.00)
B-91	4	EA	12" X 8" Tee	1,223.25	4,893.00	1,104.00	4,416.00	1,251.00	5,004.00	520.00	2,080.00	840.00	\$ 700.00	\$ 2,093.00

BID TABULATION
PRAIRIE VIEW ROAD IMPROVEMENTS PHASE II
November 21, 2017; 2:00 PM
3210 E Ave H, Bldg C; Temple TX 76501

CSJ 0909-36-155				BIDDER INFORMATION										KPA Final OPC		Compare R.T. Scheider Construction with KPA
				R.T. Schneider Const. Co.,LTD P.O.Box 876 Belton, Tx 76513		TTG Utilities, LP P.O.Box 299 Gatesville, Tx 76528		James Construction Group, LLC 5880 West Hwy 190 Belton, Tx 76513		Smith Contracting Co., Inc 15308 Granger Street Austin, Tx 78728		Mclean Construction, INC 4101 Trimmer Road Killeen, Tx 76543				
Item No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Total	Difference
B-92	1	EA	8" X 6" Tee	808.50	808.50	730.00	730.00	835.00	835.00	450.00	450.00	722.00	722.00	\$ 600.00	\$ 600.00	\$ 208.50
B-93	1	EA	16" X 8" Reducer	1,107.75	1,107.75	1,003.00	1,003.00	1,139.00	1,139.00	530.00	530.00	1,168.00	1,168.00	\$ 1,000.00	\$ 1,000.00	\$ 107.75
B-94	1	EA	8" X 6" Reducer	402.15	402.15	365.00	365.00	417.00	417.00	930.00	930.00	592.00	592.00	\$ 375.00	\$ 375.00	\$ 27.15
B-95	1	EA	8" Plug	312.90	312.90	285.00	285.00	321.00	321.00	1,500.00	1,500.00	444.00	444.00	\$ 320.00	\$ 320.00	\$ (7.10)
B-96	1	EA	Provide Labor, Equipment, Tools & Supervision to Cut & Cap 12" Waterline	674.10	674.10	610.00	610.00	690.00	690.00	3,000.00	3,000.00	1,231.00	1,231.00	\$ 900.00	\$ 900.00	\$ (225.90)
B-97	2	EA	Provide Labor, Equipment, Tools & Supervision to Cut & Cap 8" Waterline	548.10	1,096.20	500.00	1,000.00	562.00	1,124.00	1,000.00	2,000.00	1,155.00	2,310.00	\$ 800.00	\$ 1,600.00	\$ (503.80)
B-98	1	EA	Provide Labor, Equipment, Tools & Supervision to Cut & Cap 6" Waterline	367.50	367.50	330.00	330.00	385.00	385.00	800.00	800.00	1,126.00	1,126.00	\$ 750.00	\$ 750.00	\$ (382.50)
B-99	1	EA	Provide Labor, Equipment, Tools & Supervision to Cut & Cap 2" Waterline	258.30	258.30	240.00	240.00	267.00	267.00	600.00	600.00	718.00	718.00	\$ 700.00	\$ 700.00	\$ (441.70)
B-100	1	EA	Provide Labor, Equipment, Tools & Supervision to Connect to 12" Waterline	2,462.25	2,462.25	2,230.00	2,230.00	2,524.00	2,524.00	1,500.00	1,500.00	1,379.00	1,379.00	\$ 2,200.00	\$ 2,200.00	\$ 262.25
B-101	2	EA	Provide Labor, Equipment, Tools & Supervision to Connect to 8" Waterline	1,911.00	3,822.00	1,730.00	3,460.00	1,957.00	3,914.00	1,300.00	2,600.00	1,219.00	2,438.00	\$ 1,600.00	\$ 3,200.00	\$ 622.00
B-102	2	EA	Provide Labor, Equipment, Tools & Supervision to Connect to 6" Waterline	1,848.00	3,696.00	1,680.00	3,360.00	1,893.00	3,786.00	1,100.00	2,200.00	2,757.00	5,514.00	\$ 1,400.00	\$ 2,800.00	\$ 896.00
B-103	1	EA	Provide Labor, Equipment, Tools & Supervision to Connect to 2" Waterline	1,480.50	1,480.50	1,335.00	1,335.00	1,519.00	1,519.00	700.00	700.00	1,097.00	1,097.00	\$ 1,000.00	\$ 1,000.00	\$ 480.50
B-104	1	EA	Provide Labor, Equipment, Tools & Supervision for 2" Wet Tap with Valve	1,354.50	1,354.50	1,225.00	1,225.00	1,391.00	1,391.00	1,100.00	1,100.00	1,269.00	1,269.00	\$ 2,000.00	\$ 2,000.00	\$ (645.50)
B-105	5	EA	Install Standard Fire Hydrant Assembly	4,746.00	23,730.00	4,295.00	21,475.00	4,867.00	24,335.00	6,000.00	30,000.00	4,468.00	22,340.00	\$ 3,500.00	\$ 17,500.00	\$ 6,230.00
B-106	9	EA	Single Water Service & Meter	1,365.00	12,285.00	1,230.00	11,070.00	1,391.00	12,519.00	1,900.00	17,100.00	4,340.00	39,060.00	\$ 1,500.00	\$ 13,500.00	\$ (1,215.00)
B-107	100%	LS	Furnish All Materials, Equipment, Tools & Labor Necessary for Pressure Testing	8,310.75	8,310.75	7,500.00	7,500.00	8,514.00	8,514.00	4,000.00	4,000.00	2,756.00	2,756.00	\$ 2,350.00	\$ 2,350.00	\$ 5,960.75
B-108	100%	LS	water sampling Stas	4,998.00	4,998.00	4,500.00	4,500.00	5,124.00	5,124.00	2,500.00	2,500.00	2,426.00	2,426.00	\$ 2,000.00	\$ 2,000.00	\$ 2,998.00
B-109	100%	LS	temporary flush assemblies	4,079.25	4,079.25	3,700.00	3,700.00	4,225.00	4,225.00	9,000.00	9,000.00	2,165.00	2,165.00	\$ 4,500.00	\$ 4,500.00	\$ (420.75)
B-110	100%	LS	Prepare & Submit Notice of Termination to Texas Commission on Environmental	500.00	500.00	170.00	170.00	1,000.00	1,000.00	600.00	600.00	435.00	435.00	\$ 120.00	\$ 120.00	\$ 380.00
B-111	100%	LS	Provide Project Record Drawings	1,500.00	1,500.00	850.00	850.00	2,000.00	2,000.00	600.00	600.00	1,034.00	1,034.00	\$ 4,400.00	\$ 4,400.00	\$ (2,900.00)
B-112	243	LF	Black Vinyl Coated Chain Link Fence	50.00	12,150.00	35.00	8,505.00	50.00	12,150.00	26.00	6,318.00	27.50	6,682.50	\$ 5.00	\$ 1,215.00	\$ 10,935.00
B-113	2	EA	Stabilized Construction Entrance	1,000.00	2,000.00	2,304.00	4,608.00	1,500.00	3,000.00	1,200.00	2,400.00	1,314.00	2,628.00	\$ 1,125.00	\$ 2,250.00	\$ (250.00)
B-114	1	EA	New Galvanized Tube Access Gate	500.00	500.00	1,040.00	1,040.00	4,000.00	4,000.00	2,800.00	2,800.00	2,474.00	2,474.00	\$ 550.00	\$ 550.00	\$ (50.00)
B-115	40,250	SY	Furinsh & Install 6" Moisture Conditioned Subgrade	0.60	24,150.00	1.25	50,312.50	1.20	48,300.00	2.50	100,625.00	1.10	44,275.00	\$ 3.00	\$ 120,750.00	\$ (96,600.00)
B-116	260	LF	Sawcut Existing Asphalt	3.00	780.00	2.30	598.00	3.00	780.00	7.00	1,820.00	9.30	2,418.00	\$ 2.50	\$ 650.00	\$ 130.00
TOTAL PART B - PRAIRIE VIEW ROAD BID AMOUNT (ITEMS 1 - 116)					\$ 4,052,222.79		\$ 4,123,766.00		\$ 4,557,436.52		\$ 4,961,411.10		\$ 5,043,693.00		\$4,457,964.00	\$ (405,741.21)

Total \$7,412,333.50 \$ (641,836.39)

BID SUMMARY (CSJ 0909-36-155)					
	R.T.Schneider	TTG	James	Smith	Mclean
Total Bid Part A	\$ 2,718,274.32	\$ 2,762,786.60	\$ 3,143,585.36	\$ 3,227,641.40	\$ 3,393,744.00
Engineer's OPC Part A	\$ 2,954,369.50	\$ 2,954,369.50	\$ 2,954,369.50	\$ 2,954,369.50	\$ 2,954,369.50
Part A Difference	\$ (236,095.18)	\$ (191,582.90)	\$ 189,215.86	\$ 273,271.90	\$ 439,374.50
Total Bid Part B	\$ 4,052,222.79	\$ 4,123,766.00	\$ 4,557,436.52	\$ 4,961,411.10	\$ 5,043,693.00
Engineer's OPC Part B	\$ 4,457,964.00	\$ 4,457,964.00	\$ 4,457,964.00	\$ 4,457,964.00	\$ 4,457,964.00
Part B Difference	\$ (405,741.21)	\$ (334,198.00)	\$ 99,472.52	\$ 503,447.10	\$ 585,729.00
Total Bid Part A + B	\$ 6,770,497.11	\$ 6,886,552.60	\$ 7,701,021.88	\$ 8,189,052.50	\$ 8,437,437.00
Engineer's OPC Part B	\$ 7,412,333.50	\$ 7,412,333.50	\$ 7,412,333.50	\$ 7,412,333.50	\$ 7,412,333.50
Total Difference	\$ (641,836.39)	\$ (525,780.90)	\$ 288,688.38	\$ 776,719.00	\$ 1,025,103.50
% Total Difference	-9.5%	-7.6%	3.7%	9.5%	12.1%

I hereby certify that this is a correct & true tabulation of all bids received.

 12/28/2017

Michael C. Newman, P.E., CFM
Kasberg, Patrick & Associates, LP



☐ Final Opinion of Probable Cost
☐ Low Bidder



Temple
One South Main Street
Temple, Texas 76501
(254) 773-3731

KASBERG, PATRICK & ASSOCIATES, LP
CONSULTING ENGINEERS
Texas Firm F-510

RICK N. KASBERG, P.E.
R. DAVID PATRICK, P.E., CFM
THOMAS D. VALLE, P.E.
GINGER R. TOLBERT, P.E.
ALVIN R. "TRAE" SUTTON, III, P.E., CFM
JOHN A. SIMCIK, P.E., CFM

Georgetown
1008 South Main Street
Georgetown, Texas 78626
(512) 819-9478

November 27, 2017

Mr. Richard Wilson, P.E.
3210 E. Avenue H
Building A
Temple, Texas 76501

Re: City of Temple, Texas
Prairie View Road Improvements Ph.2 Construction Contract Award Recommendation

Dear Mr. Wilson:

Bids were received by the City of Temple at 2:00 P.M. on Tuesday, November 21, 2017 for the above referenced project. There were five (5) sealed bids received and a detailed bid tabulation of these bids is attached for your use.

The City of Temple, Texas in conjunction with the Texas Department of Transportation (TxDOT), as joint lead agencies, are proposing to widen and realign FM 2483 and Prairie View Roads. In addition, existing FM 2483 and Prairie View Road intersections with SH 317 will be combined into one intersection. Prairie View Road Improvements Ph.2, including realignment of FM 2483 will provide approximately 6,222 linear feet (1.17 miles) of enhanced transportation facilities. This project proposes to widen to four lanes including turn lanes, bicycle lanes, sidewalks and raised median in some areas. Project improvements will consist of unclassified roadway excavation & fill, flexible base, curb & gutter, hot mix asphaltic cement, 8-inch, 12-inch and 16-inch diameter PVC water lines, fire hydrants, 10' wide concrete sidewalk, 8' wide concrete sidewalk, reinforced concrete box culverts, curb inlets, storm drains, trench safety, temporary & permanent traffic control, temporary erosion control, landscaping and other associated construction activities.

The Base Bid includes Part A FM 2483 and Part B Prairie View Road. The Engineer's Opinion of Probable Cost for total Base Bid, Parts A & B was \$7,412,333.50. The Opinion of Probable Cost was developed using recent bids from other projects. The low successful bidder is R.T. Schneider Company, Ltd., P.O. Box 876, Belton, Texas, 76513 with a Base Bid Parts A & B of 6,770,497.11. The City of Temple has successfully completed numerous projects with R.T. Schneider Construction Company, Ltd. in the past and we recommend awarding the Base Bid Parts A & B in the total bid amount of **\$6,770,497.11**.

Sincerely,

Michael C. Newman, P.E., CFM

Xc: Nicole Torralva, P.E., Director of Public Works, City of Temple
Richard Wilson, P.E., Project Manager, Public Works
Belinda Mattke, Director of Purchasing, City of Temple
Ashley Williams, Director of General Services, City of Temple
Katelyn Kasberg, Local Government Project Coordinator, TxDOT
Russell Schneider, R.T. Schneider Construction Company, Ltd., Belton, Tx.
KPA file: 2013-128-40

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH R.T. SCHNEIDER CONSTRUCTION COMPANY, LLC OF BELTON, TEXAS IN THE AMOUNT OF \$6,770,497.11, FOR CONSTRUCTION OF PHASE 2 OF PRAIRIE VIEW ROAD FROM FM 2483 TO NORTH PEA RIDGE ROAD; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple adopted a Transportation Capital Improvement Program in which capacity and connectivity improvements to Prairie View Road are identified - the improvements needed are to support the growing area, which includes the proposed development of the Lake Belton High School campus;

Whereas, on November 18, 2017 bids for Phase 2 were opened and five bids were received for the project with R.T. Schneider Construction Company, LLC providing a bid in the amount of \$6,770,497.11;

Whereas, the improvements comprise of approximately 1.2 miles of four-lane arterial roadway, bicycle lanes, 10-foot and 8-foot wide sidewalks, and water lines ranging in diameter from 8-inches to 16-inches;

Whereas, Staff recommends Council authorize a construction contract with R.T. Schneider Construction Company, LLC of Belton, Texas in the amount of \$6,770,497.11, for the construction of Phase 2 of Prairie View Road from FM 2483 to North Pea Ridge Road;

Whereas, funds are available for this contract in Account No. 260-3400-531-6862, Account No. 365-3400-531-6862 and Account No. 520-5900-535-6521, Project No. 101257; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract with R.T. Schneider Construction Company, LLC of Belton, Texas in the amount of \$6,770,497.11, for the construction of Phase 2 of Prairie View Road from FM 2483 to North Pea Ridge Road.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #8(K)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director
Don Bond, P.E., CFM, City Engineer

ITEM DESCRIPTION: Consider adopting a resolution authorizing a contract amendment to the professional services agreement with Kasberg, Patrick & Associates, LP, in an amount not to exceed \$313,000 for professional services required to provide construction administration and onsite representation for Phase 2 of Prairie View Road from North Pea Ridge Road to FM 2483.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On March 6, 2014, Council adopted a resolution authorizing professional services with KPA to design services required for improvements to Prairie View Road from the Outer Loop to SH 317. Subsequent contract amendments have revised the scope to design connectivity to FM 2483, support ROW acquisition, provide bidding services, and add construction-phase services for Phase 1. The current contract amount is \$1,417,031.

Bids for Phase 2 were opened on November 21, 2017. The low bidder is R.T. Schneider Company, Ltd., of Belton with a bid of \$6,770,497.11.

The proposed timeline for construction is 330 calendar days from the Notice to Proceed. Per the attached proposal, engineering services in support of Phase 2 construction are as follows:

Construction Administration	\$ 210,000
Onsite Representation	<u>\$ 103,000</u>
TOTAL	<u>\$ 313,000</u>

FISCAL IMPACT: A budget adjustment is being presented to Council for approval to appropriate additional funding needed for a contract amendment to the professional services agreement with KPA in an amount not to exceed \$313,000. The services added with the contract amendment will provide construction administration and onsite representation for Phase 2 of Prairie View Road. Funding will be available for project 101257 as follows:

	<u>260-3400-531-6862</u>	<u>365-3400-531-6862</u>	<u>520-5900-535-6521</u>	<u>Total</u>
Project Budget	\$ 7,684,960	\$ 2,521,643	\$ 850,000	\$ 11,056,603
Budget Adjustment	-	133,143	-	133,143
Encumbered/Committed to Date	(96,960)	(2,373,086)	-	(2,470,046)
KPA Contract Amendment #11	-	(281,700)	(31,300)	(313,000)
Construction Award - RT Schneider Construction Company, Ltd	(6,114,268)	-	(656,229)	(6,770,497)
Remaining Project Funds	\$ 1,473,732	\$ -	\$ 162,471	\$ 1,636,203

ATTACHMENTS:

[Budget Adjustment](#)
[Project Map](#)
[Engineer's Proposal](#)
[Resolution](#)

FY **2018****BUDGET ADJUSTMENT FORM**

Use this form to make adjustments to your budget. All adjustments must balance within a Department.

Adjustments should be rounded to the nearest \$1.

+

-

ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE
365-3400-531-68-62	101257	Capital - Bonds / Prairie View Rd Impr	\$ 133,143	
365-3400-531-65-32		Contingency Fund Balance		\$ 133,143
TOTAL.....			\$ 133,143	\$ 133,143

EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.

To appropriate funding needed for Contract Amendment #11 with Kasberg, Patrick & Associates, LP (KPA) for Construction Administration and On-Site Representation related to Prairie View Road Improvements Phase II, project #101257, in the amount of \$313,000.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

1/18/2018

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director

Date

☐

Approved

☐

Disapproved

Finance

Date

☐

Approved

☐

Disapproved

City Manager

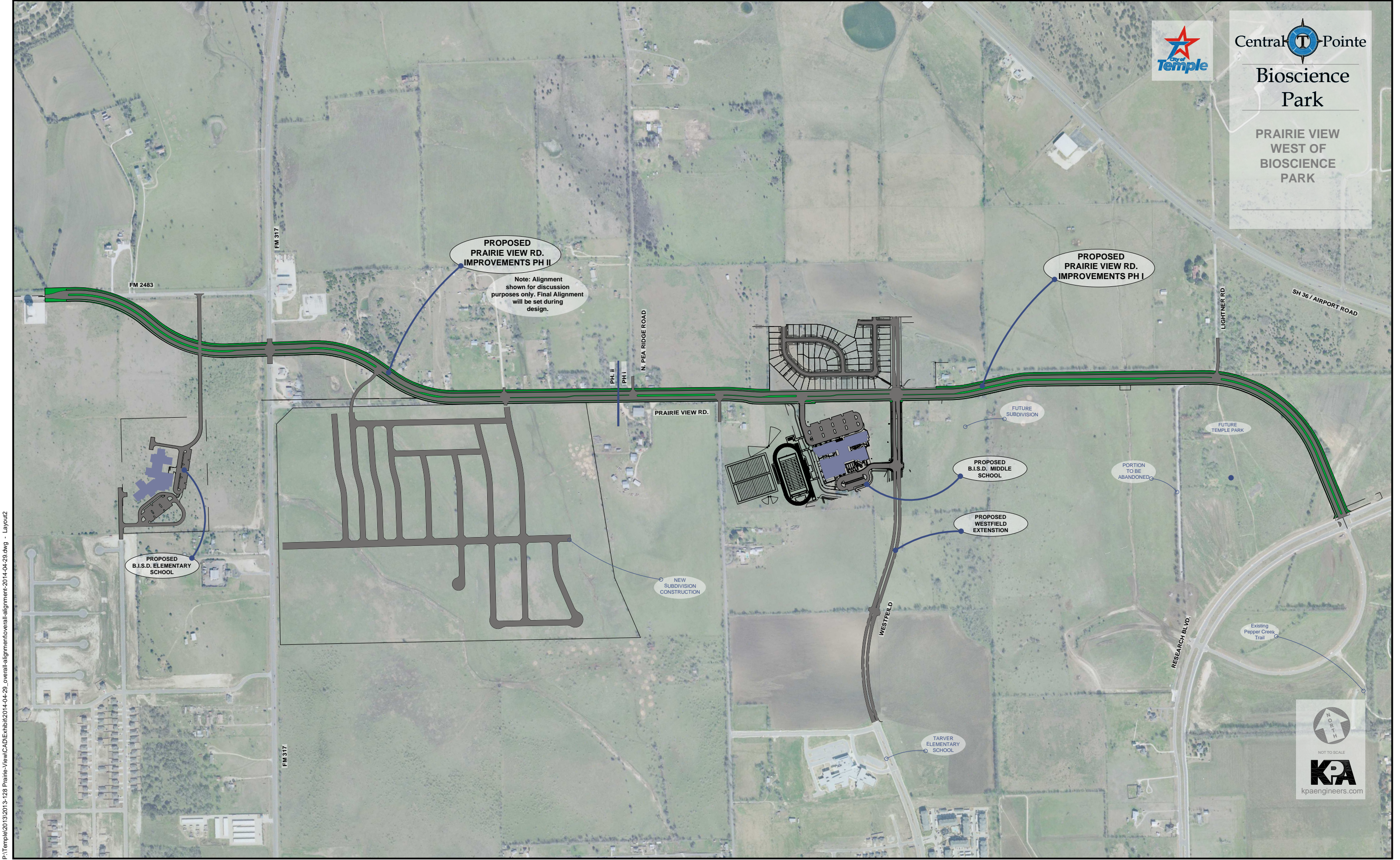
Date

☐

Approved

☐

Disapproved



Central Pointe

Bioscience Park

PRAIRIE VIEW
WEST OF
BIOSCIENCE
PARK

PROPOSED
B.I.S.D. ELEMENTARY
SCHOOL

PROPOSED
PRAIRIE VIEW RD.
IMPROVEMENTS PH II

Note: Alignment
shown for discussion
purposes only. Final Alignment
will be set during
design.

PH. II
PH. I

PRAIRIE VIEW RD.

NEW
SUBDIVISION
CONSTRUCTION

PROPOSED
B.I.S.D. MIDDLE
SCHOOL

PROPOSED
WESTFIELD
EXTENSION

TARVER
ELEMENTARY
SCHOOL

PROPOSED
PRAIRIE VIEW RD.
IMPROVEMENTS PH I

FUTURE
SUBDIVISION

FUTURE
TEMPLE PARK

PORTION
TO BE
ABANDONED

Existing
Pepper Creek
Trail



NOT TO SCALE



kpaengineers.com



KASBERG, PATRICK & ASSOCIATES, LP
CONSULTING ENGINEERS
Texas Firm F-510

Temple
One South Main Street
Temple, Texas 76501
(254) 773-3731

RICK N. KASBERG, P.E.
R. DAVID PATRICK, P.E., CFM
THOMAS D. VALLE, P.E.
GINGER R. TOLBERT, P.E.
ALVIN R. "TRAE" SUTTON, III, P.E., CFM
JOHN A. SIMCIK, P.E., CFM

Georgetown
1008 South Main Street
Georgetown, Texas 78626
(512) 819-9478

December 21, 2017

Mr. Richard Wilson, P.E.
3210 E. Avenue H
Building A
Temple, Texas 76501

Re: City of Temple, Texas
Prairie View Road Improvements
Amendment No. 11 to Contract Agreement Dated August 19, 2013

Dear Mr. Wilson:

At the request of the City of Temple, we are submitting this contract amendment proposal for the above referenced project. The contract amendment proposal will include the following:

AMENDMENT NO. 11 SERVICES

PRAIRIE VIEW ROAD PH.2 N. PEA RIDGE TO FM2483
Construction Administration
On-Site Representation

Contract amendment No.11 proposal includes professional services for construction management and on-site representation of Prairie View Road Ph.2. This roadway project is upgrading the road from a two lane rural road to a minor arterial with flush or raised center median from approximately 0.5 miles west of SH317 along FM2483 to approximately 0.7 miles east of SH317 along Prairie View Road to North Pea Ridge. Our opinion of probable construction cost for Prairie View Ph.2 project is approximately \$7,515,000 base bid.

The contract dated August 19, 2013, Amendment No.1 Prairie View Road Ph.2 N. Pea Ridge to FM2483 included preliminary and final engineering design, ROW maps and exhibits, land surveying for field data collection, ROW parcels, Easements and structures in conflict, plus environmental site assessment, archeological investigation, geotechnical investigation, traffic impact analysis, signal design, bidding and KPA sub-consultant coordination in the amount of \$665,490.

Prairie View Road Ph. 2 (Research to N. Pea Ridge) additional engineering work proposed to be performed by KPA under this contract amendment consists of construction administration and on-site representation services as described below. KPA will perform all work and prepare all deliverables in accordance with City of Temple design guidelines. All communications will be through the designated City of Temple Project Manager, unless otherwise directed by the City. The following services will be performed during Construction:

Mr. Richard Wilson, P.E.
December 21, 2017
Page 2

PRAIRIE VIEW ROAD PH.2 N. PEA RIDGE TO FM2483

Construction Administration: coordinate/conduct/document Pre-Construction meeting, compile and issue meeting minutes, assist with Notice to Proceed, review submittals, coordinate/attend/document construction progress meetings, review pay-estimates, coordinate, compile notes from walk-throughs, prepare record documents.

On-Site Representation: coordinate testing and observations of contractor work, review installed quantities and materials on hand for monthly pay estimates to Contractors, attend construction progress meetings, prepare written daily reports on construction activities summarizing work performed, quantities installed, number of laborers on site, equipment used, weather conditions, significant activities observed and test results.

The above scope of work can be performed for the lump sum price of \$313,000 for Prairie View Road Ph. 2. Additional time to contract is 18 months, which includes time prior to beginning and completing construction. We are pleased to submit this proposal and look forward to the benefit it will bring the City of Temple.

AMENDMENT NO.11 SERVICES

PRAIRIE VIEW ROAD PH. 1 RESEARCH PARKWAY TO N. PEA RIDGE

Construction Administration	\$	210,000
On-Site Representation	\$	<u>103,000</u>
Total	\$	313,000

We will invoice monthly for our services based on a percent completion basis. We look forward to working with you and to the completed project benefiting the City of Temple.

Sincerely,



Michael C. Newman, P.E., CFM

MCN/mcn

xc: 2013-128-40

CONTRACT AMENDMENT (Professional Service Agreements)

PROJECT: Prairie View Road Improvements
OWNER: City of Temple
ARCHITECT/ENGINEER: Kasberg, Patrick & Associates, LP
AMENDMENT #: Eleven

Make the following additions, modifications or deletions to the work described in the Contract Documents: For Prairie View Road Phase 2 (North Pea Ridge to FM 2483) Construction Administration and On-Site Representation. Additional cost is \$313,000.00. Construction is planned to begin early 2018. Requested time is 540 calendar days.

Add:

Construction Administration	\$ 210,000.00
On-Site Representation	\$ 103,000.00

Total this Change Order: \$ 313,000.00

The Compensation agreed upon in this Contract Amendment is the full, complete and final payment for all costs the Architect or Engineer may incur as a result of or relating to this amendment whether said costs are known, unknown, foreseen or unforeseen at this time, including without limitation, any cost for delay (for which only revised time is available), extended overhead, ripple or impact cost, or any other effect on changed or unchanged work as a result of this Contract Amendment.

Original Contract Amount:	\$ 432,600.00
Previous Net Change in Contract Amount:	\$ 984,431.00
Amount This Amendment:	\$ 313,000.00
Revised Contract Amount:	\$ 1,730,031.00
Original Contract Completion Date:	Dec. 29, 2015
Revised Contract Completion Date:	Jan. 20, 2019

Recommended by:

Project Manager Date:

Approved by City of Temple:

Brynn Myers, Interim City Mgr. Date:

Agreed to:

Architect or Engineer Date:

Approved as to form:

City Attorney's Office Date:

Approved by Finance Department:

Date:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONTRACT AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP OF TEMPLE, TEXAS IN THE AMOUNT OF \$313,000, FOR SERVICES REQUIRED TO PROVIDE CONSTRUCTION ADMINISTRATION AND ONSITE REPRESENTATION FOR PHASE 2 OF PRAIRIE VIEW ROAD FROM NORTH PEA RIDGE ROAD TO FM 2483; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on March 6, 2014, Council authorized a professional services agreement with Kasberg, Patrick & Associates, LP (“KPA”) for design services required for improvements to Prairie View Road from the Outer Loop to SH 317;

Whereas, subsequent contract amendments have revised the scope to include design connectivity to FM 2483, support right-of-way acquisition, provide bidding services, and add construction-phase services for Phase 1, raising the current contract amount to \$1,417,031;

Whereas, Staff recommends Council authorize a contract amendment to the professional services agreement with KPA in the amount of \$313,000, to provide construction administration and onsite representation for Phase 2 of Prairie View Road from North Pea Ridge Road to FM 2483;

Whereas, funds are available for this contract amendment, but an amendment to the fiscal year 2018 budget needs to be approved to appropriate additional funding to Account Nos. 260-3400-531-6862, Account No. 365-3400-531-6862, and Account No. 520-5900-535-6521, Project No. 101257.

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a contract amendment to the professional services agreement with Kasberg, Patrick & Associates, LP of Temple in the amount of \$313,000, for professional services to provide construction administration and onsite representation for Phase 2 of Prairie View Road from North Pea Ridge Road to FM 2483.

Part 3: The City Council authorizes an amendment to the fiscal year 2018 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

Part 4: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #8(L)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director
Don Bond, P.E., City Engineer

ITEM DESCRIPTION: Consider adopting a resolution authorizing an Advanced Funding Agreement Amendment with the State of Texas (Texas Department of Transportation) to fund the additional construction costs for the extension of South First Street as part of the Spur 290 and Loop 363 project in an amount not to exceed \$1,744,805.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City designed a gateway to the Temple Medical Education District along Spur 290 (Veterans Memorial Boulevard) at Loop 363 which includes alteration of the existing road profile to match a future grade-separated crossing of Loop 363, associated improvements to the eastbound Loop 363 frontage road, landscaping, signage, and lighting.

On April 21, 2016, Council authorized one AFA and amended two AFA's related to the project:

1. Roadway improvements – May 2014 AFA amended to authorize \$4,884,722 advance funding.
2. Landscaping improvements – January 2015 AFA amended to authorize \$826,000 advance funding.
3. Utility relocations - \$304,999.68 advance funding authorized.

Current and planned development south of the proposed intersection requires extension of South First Street and potable water service to the south (Project Map attached). The proposed \$1,744,805 comprises water line improvements totaling \$372,058 and roadway, drainage, sidewalk, landscaping, and lighting improvements totaling \$1,372,747.

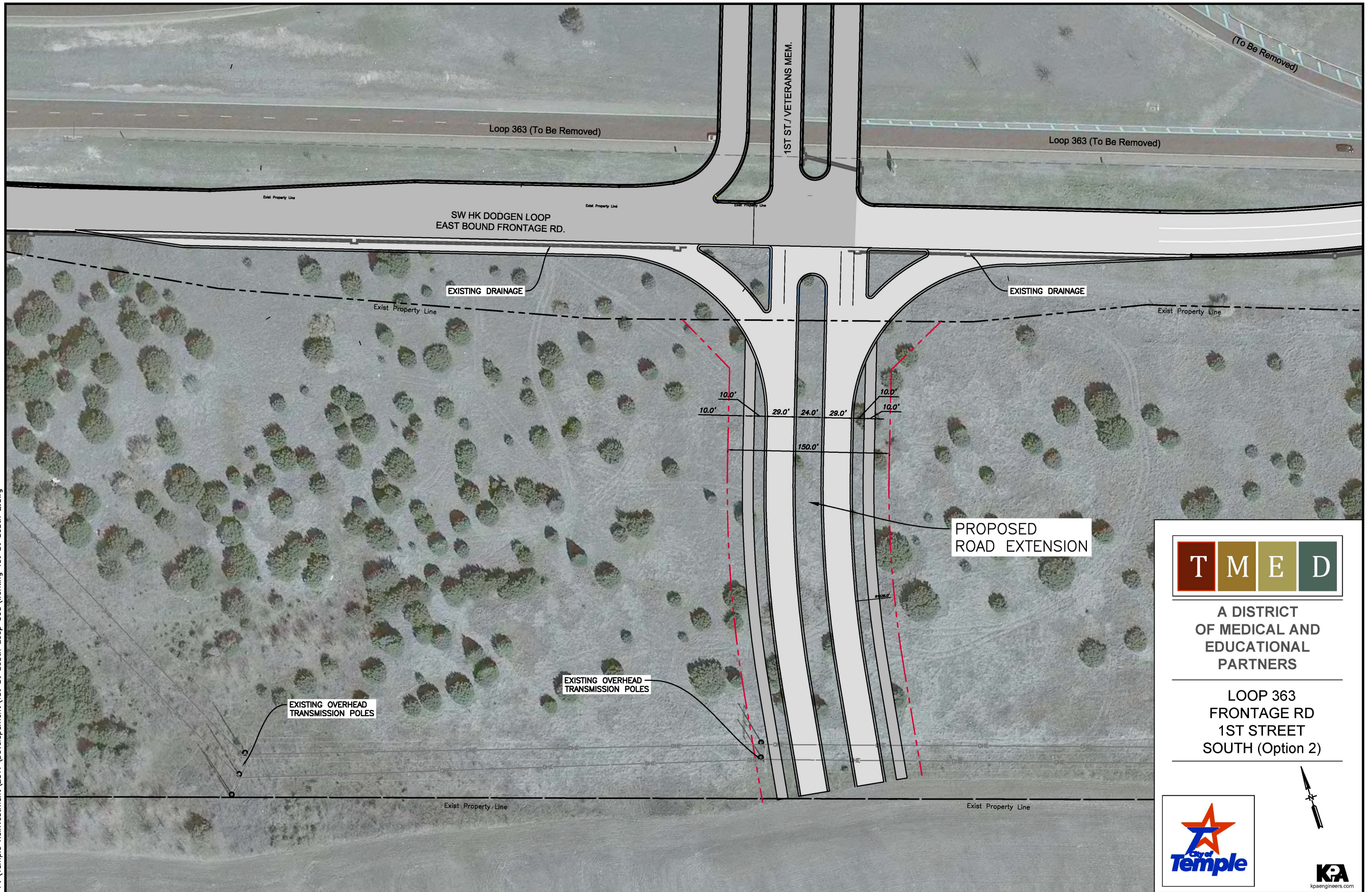
The project is scheduled for completion in late spring of 2018. Addition of the scope in this proposed change order will extend the completion date to early summer of 2018.

FISCAL IMPACT: Funding for an Advanced Funding Agreement Amendment with the Texas Department of Transportation for the additional construction costs for Spur 290 and Loop 363 in an amount not to exceed \$1,744,805 is available in the Reinvestment Zone No. 1 Financing and Project Plans, line 468, account 795-9500-531-6570, project 101627, as follows:

Project Budget	\$ 1,845,000
Encumbered/Committed to Date	(97,950)
TxDOT Advanced Funding Agreement	(1,744,805)
Remaining Project Funds Available	\$ 2,245

ATTACHMENTS:

[Project Map](#)
[Resolution](#)



A DISTRICT
OF MEDICAL AND
EDUCATIONAL
PARTNERS

LOOP 363
FRONTAGE RD
1ST STREET
SOUTH (Option 2)



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN ADVANCED FUNDING AGREEMENT WITH THE STATE OF TEXAS (TEXAS DEPARTMENT OF TRANSPORTATION) TO FUND THE ADDITIONAL CONSTRUCTION COSTS FOR THE EXTENSION OF SOUTH FIRST STREET AS PART OF THE SPUR 290 AND LOOP 363 PROJECT IN AN AMOUNT NOT TO EXCEED \$1,744,805; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City designed a gateway to the Temple Medical Education District along Spur 290 (Veterans Memorial Boulevard) at Loop 363 which includes alteration of the existing road profile to match a future grade-separated crossing of Loop 363, associated improvements to the eastbound Loop 363 frontage road, landscaping, signage, and lighting;

Whereas, on April 21, 2016, Council authorized one Advanced Funding Agreement (AFA) and amended two AFA's related to the project:

1. Roadway Improvements: the May, 2014 AFA was amended to authorize \$4,884,722 in advance funding;
2. Landscaping Improvements: the January, 2015 AFA was amended to authorize \$826,000 in advance funding;
3. Utility Relocations - \$304,999.68 advance funding authorized;

Whereas, current and planned development south of the proposed intersection requires extension of South First Street and potable water service to the south;

Whereas, funding is available for this Advanced Funding Agreement in the Reinvestment Zone No. 1 Financing and Project Plans, Line No. 468, Account No. 795-9500-531-6570, Project No. 101627; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute an Advanced Funding Agreement with the State of Texas (Texas Department of Transportation) to fund the additional construction costs for Spur 290 and Loop 363 in an amount not to exceed \$1,744,805, as well as execute all documents necessary to construct an extension of South First Street at Loop 363.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #8(M)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director
Don Bond, P.E., City Engineer

ITEM DESCRIPTION: Consider adopting a resolution authorizing an Advanced Funding Agreement with the State of Texas (Texas Department of Transportation) to fund construction costs for the South 31st Street Sidewalks utilizing a City project contribution of \$415,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: South 31st Street requires significant sidewalk infill to serve as a pedestrian corridor. In September of last year TXDOT selected the City's South 31st Street project for a Statewide Curb Ramp and Pedestrian Improvement Program award with 80%/20% federal and City funding. Benefits in addition to the funding include TXDOT project responsibility and expedited design & construction. Subsequently the City's sidewalk project from Marlandwood Road to Canyon Creek Road which was selected for KTMPO Category 7 funding, as well as a mill & overlay from SH 53 to Waters Dairy Road, were incorporated into the project.

The proposed sidewalks are 6'-wide with a steel-reinforced 6" cross section. A pedestrian bridge spanning the BNSF railway and a small portion of landscaping are included. The total project estimate is \$2,075,002. The City's required match is \$415,000.

An overview of the proposed pedestrian corridor is attached illustrating existing (blue) and proposed (red, green) sections of sidewalk.

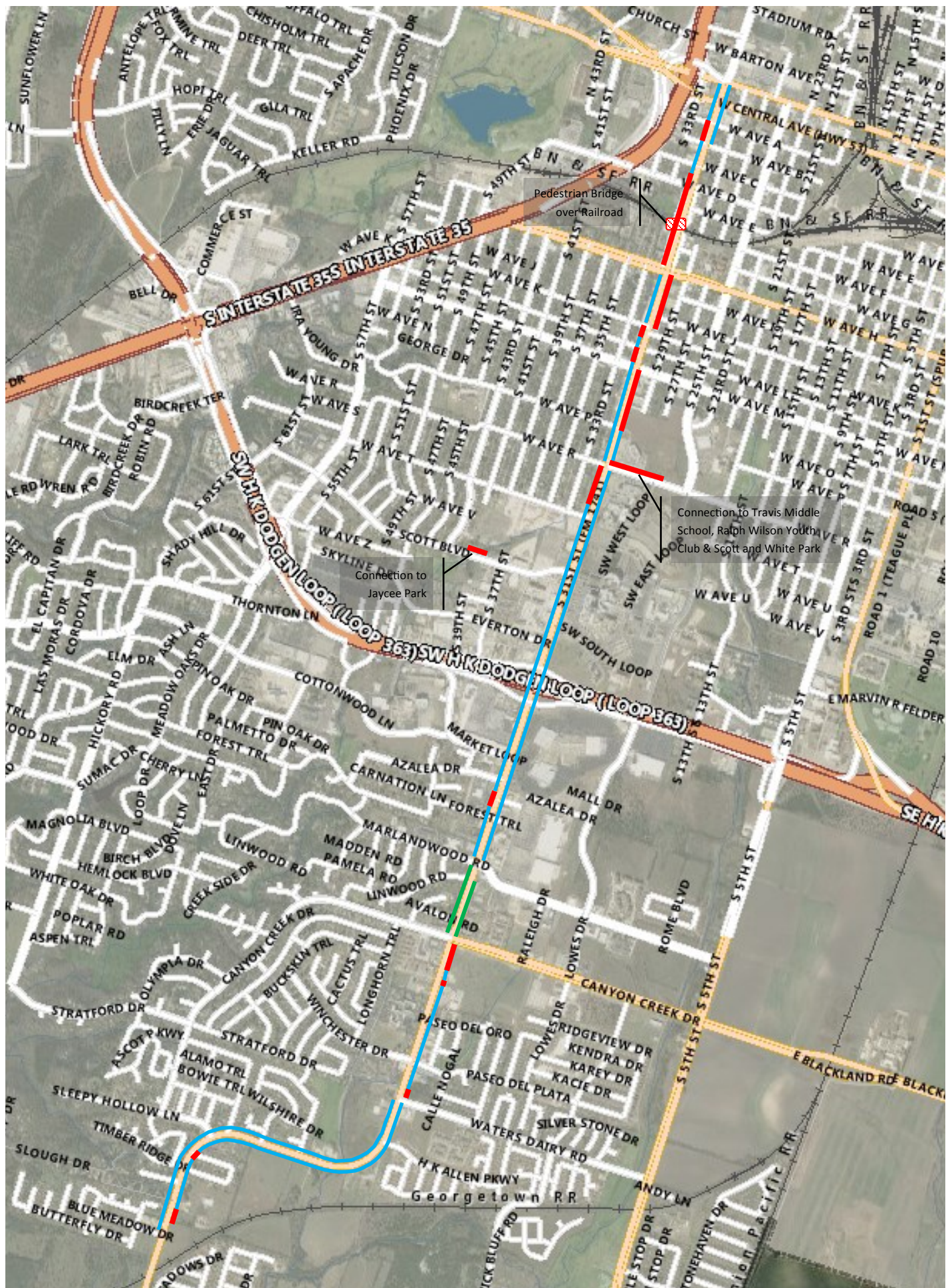
FISCAL IMPACT: A budget adjustment is being presented to Council for approval to appropriate remaining Pass-Through Financing (PTF) bond funds in the amount of \$97,292 to partially fund the Advanced Funding Agreement with the Texas Department of Transportation in an amount of \$415,000. The remaining PTF bond funds are restricted funds and can only be used on state owned infrastructure. South 31st Street sidewalks qualify since 31st Street is state owned. TXDOT will also be constructing this project.

The agreement will be for the construction costs for the South 31st Street Sidewalks. Funding will be available for project 101804, as follows:

	<u>261-3400-531-6315</u>	<u>365-3400-531-6315</u>	<u>Total</u>
Project Budget	\$ -	\$ 500,000	\$ 500,000
Budget Adjustment	97,292	-	97,292
Encumbered/Committed to Date	-	-	-
TxDOT Advanced Funding Agreement – S 31st Street Sidewalks	(97,292)	(317,708)	(415,000)
Remaining Project Funds	\$ -	\$ 182,292	\$ 182,292

ATTACHMENTS:

[Corridor Overview](#)
[Budget Adjustment](#)
[Resolution](#)



TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM

31ST Street Sidewalks—Adams Avenue to Blue Meadow Drive

- TAP Sidewalk Project, requested
- Existing Sidewalk
- Sidewalk Funded under MPO

FY **2018****BUDGET ADJUSTMENT FORM**

Use this form to make adjustments to your budget. All adjustments must balance within a Department.

Adjustments should be rounded to the nearest \$1.

+

-

ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE
261-3400-531-63-15	101804	Capital Buildings & Grounds/Sidewalk/Curb/Gutter	\$ 97,292	
261-3400-531-25-88	100681	Other Services / Northwest Loop 363 Improvements		\$ 89,763
261-0000-315-11-16		Reserved for Future Exp-Fund Balance		\$ 7,529
		DO NOT POST		
TOTAL.....			\$ 97,292	\$ 97,292

EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.

To appropriate funding needed for an Advanced Funding Agreement with TxDOT to fund construction costs for the S 31st Street Sidewalks, project 101804, in the amount of \$415,000.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

1/18/2018

WITH AGENDA ITEM?

☒ Yes☐ No

Department Head/Division Director

Date

☐ Approved
☐ Disapproved

Finance

Date

☐ Approved
☐ Disapproved

City Manager

Date

☐ Approved
☐ Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN ADVANCED FUNDING AGREEMENT WITH THE STATE OF TEXAS (TEXAS DEPARTMENT OF TRANSPORTATION) TO FUND CONSTRUCTION COSTS FOR THE SOUTH 31ST STREET SIDEWALKS UTILIZING A CITY PROJECT CONTRIBUTION OF \$415,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in September, 2017, the Texas Department of Transportation (“TXDOT”) selected the City’s South 31st Street project for a Statewide Curb Ramp and Pedestrian Improvement Program award with 80% / 20% federal and City funding;

Whereas, benefits, in addition to the funding, include TXDOT project responsibility and expedited design & construction - subsequently the City’s sidewalk project from Marlandwood Road to Canyon Creek Road, which was selected for KTMPO Category 7 funding, as well as a mill & overlay from SH 53 to Waters Dairy Road, were incorporated into the project;

Whereas, South 31st Street requires significant sidewalk infill to serve as a pedestrian corridor - the proposed sidewalks are 6-feet wide with a steel-reinforced 6-inch cross section;

Whereas, a pedestrian bridge spanning the BNSF railway and a small portion of landscaping are included in the total estimate of \$2,075,002 - the City’s required match is \$415,000;

Whereas, funds are available for this Advanced Funding Agreement, but an amendment to the fiscal year 2018 budget needs to be approved to appropriate remaining Pass-Through Financing (PTF) bond funds to partially fund the Advanced Funding Agreement with the Texas Department of Transportation;

Whereas, the remaining PTF bond funds are restricted funds and can only be used on state owned infrastructure - South 31st Street sidewalks qualify since 31st Street is state owned;

Whereas, TXDOT will also be constructing this project and funding will be available in Account No. 261-3400-531-6315 and Account No. 365-3400-531-6315, Project No. 101804; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute an Advanced Funding Agreement with the State of Texas (Texas Department of Transportation) to fund construction costs for the South 31st Street Sidewalks utilizing a City project contribution of \$415,000, and authorizing the City Manager to execute all necessary documents required to construct sidewalks along South 31st Street.

Part 3: The City Council authorizes an amendment to the fiscal year 2018 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

Part 4: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #8(N)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Director of Parks & Recreation
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with MRB Group of Temple, in the amount of \$48,080 for the design services needed to construct facility improvements at Mercer Softball Complex.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: One of the projects approved in the 2015 Parks GO Bond are improvements to the concession and restroom facilities at Mercer Softball Complex in Lions Park. Authorization of this professional services agreement with MRB Group will enable staff to move forward with this project.

The existing buildings at this facility were constructed when the softball complex was built in 1978. The preliminary design includes the following:

- Demolition and reconstruction of a restroom facility;
- Conversion of the existing concession building into a one story building with updates to the façade, electrical, and plumbing;
- Conversion of the current umpire space into a maintenance storage area;
- Construction of four new scorer's benches; and
- Minor drainage improvements to Field 2.

As indicated in the attached proposal, MRB Group services will include permit/construction drawings, architectural design, civil engineering, structural services, mechanical/electrical/plumbing engineering, and submitted design to Texas Department of Licensing and Regulations for ADA review.

It is anticipated that design of the project will be complete by April 2018 with construction completed by March 2019.

FISCAL IMPACT: This project is funded by the Parks GO Bonds that were approved by the voters on May 9, 2015, and sold on September 24, 2015. Funding for the professional services agreement with MRB Group for the design fees needed to construct facility improvements at Mercer Softball Complex is available in the amount of \$48,080 in account 362-3500-552-6408, project #101317, as follows:

Project Budget	\$	677,610
Encumbered/Committed to Date		(10,590)
MRB Group		(48,080)
Remaining Project Funds Available	\$	618,940

ATTACHMENTS:

[MRB Group Proposal](#)
[Resolution](#)

November 20, 2017

Sarah Parker, Contract Manager
City of Temple
3210 East Ave H, Building C
Temple, TX 76501

**RE: PROPOSAL FOR PROFESSIONAL SERVICES
DESIGN SERVICES FOR MERCER SOFTBALL COMPLEX: CONCESSIONS AND RESTROOMS — CITY OF
TEMPLE**

Dear Mrs. Parker:

MRB Group is pleased to propose on the design of the upgrade and replacement of various buildings at the A.J. Mercer Fields in Lions Park.

I. Project Overview

The scope of work includes;

1. Replacement of the existing restrooms. The existing restroom will be demolished and the new one constructed in the same area. The design will be based on the Wilson South restrooms, with adjustments to delete the storage and umpire rooms, to meet flood plain and other site specific requirements.
2. Conversion of the existing concessions building to a one story building, adding a new roof to match the restroom and façade materials update. The interior will have minor changes including addition of a doorway, walling another off, and upgrades to the electrical, plumbing and serving window to meet code.
3. The existing metal building will have selective demolition to the interior, installation of a new overhead door, as well as updating the façade with a wainscot to match the restroom materials.
4. Construction of four (4) scorer's benches to match Wilson South.
5. Drainage upgrade to Field 2, 3rd base dugout to drain outside the field area.
6. Selective flatwork around the concession building for accessibility.

II. Scope of Services and Compensation

Please find below an outline of the scope of services required for the Mercer Softball Complex concession and restroom buildings. As-built, survey and schematic design has been previously completed.

A. Phase I – Design Development

1. Plans and elevations showing the new and revised buildings will be produced for approval by City.
2. Attend 1 meeting with City representatives for review and coordination.

Subtotal of Phase I, Items 1-2..... \$9,820.00

B. Phase II - Construction Documents

1. Construction Documents will be produced from the approved design. The drawings will include Civil, Architectural, Structural, Mechanical, Electrical and Plumbing for the permitting and construction of scope of work outlined above.
2. COM Check for building and lighting as required by permitting.
3. Fire Protection Plan as required by permitting.
4. Specification book coordinated with City of Temple front end documents.
5. Coordination of disciplines.
6. Attend 2-4 meetings with City representatives for review and coordination.

Subtotal of Phase II, Items 1-6..... \$18,880.00

C. Phase III - Bidding:

1. Printing of contract documents (maximum 10 sets per City general conditions) for user during bidding or construction.
2. A pre-bid meeting will be attended on site to discuss the project expectations with the contractors and the contractor's consultants.
3. Amendments to the Construction Documents during the bid process for clarifications and answers to RFIs.
4. Checking the references of bidders and providing a bid review letter if required.

Subtotal of Phase III, Items 1-4..... \$3,980.00

D. Phase IV - Construction Administration (based on a 9-month construction duration):

1. Answer RFIs that are submitted during construction period.
2. Review submittals for specified construction materials.
3. Attending construction meetings bi-weekly over the estimated 9-month construction duration.
4. Assess and approve change orders and pay applications.

Subtotal of Phase IV, Items 1-4..... \$14,350.00

E. TAS Review & Inspection

- | | | |
|----|--------------------------|----------|
| a) | Filing Fee: | \$175.00 |
| b) | Plan Review: | \$425.00 |
| c) | Construction Inspection: | \$450.00 |

Subtotal of TAS, Items a-c \$1,050.00

Total Compensation – Mercer Softball Complex \$48,080.00

The cost figures shown above represent our lump sum amounts. Any additional work beyond this fee and outside the scope of this proposal would be reviewed with the Client. MRB Group shall submit monthly statements for services rendered during each invoicing period based on the efforts performed during that period.

III. Additional Services

The following items, not included in the above services can be provided on a personnel time-charge basis. These items are currently excluded, but can be performed upon receipt of your authorization.

- A. Geotechnical Testing and Report.
- B. Drainage Plan or Report.
- C. Erosion and Sediment Control Plan.
- D. Landscape Plan.
- E. Storm Water Management Plan.

- F. Storm Water Pollution Prevention Plan.
- G. Preparation of change orders not caused by errors and omissions of the Design team.
- H. Changes to the layout after approval of Schematic design.
- I. Asbestos or hazardous material testing, studies or removal.
- J. Construction inspection.
- K. Construction administration beyond the 9-month construction duration.
- L. Record drawings.

IV. Commencement of Work

Upon receipt of the signed proposal or purchase order, MRB Group will begin work on the project.

V. Standard Terms and Conditions

The above proposal will be governed by the *Terms and Conditions* previously agreed upon by MRB Group and the City of Temple.

If this proposal is acceptable to you, please sign where indicated and return one copy to our office. We have included an additional copy for your records. Thank you for your consideration of our firm. We look forward to working with you on this project.

Respectfully submitted,


Randy Stumberg
Senior Architect


James J. Oberst, P.E., LEED AP
Executive Vice President / C.O.O.

J:\630006\Ltrs-Proposals\2017\rs-City of Temple Mercer Revised.docx

PROPOSAL ACCEPTED BY:

Signature

Title

Date

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH MRB GROUP, PC OF TEMPLE, TEXAS IN THE AMOUNT OF \$48,080, FOR DESIGN SERVICES NECESSARY TO CONSTRUCT FACILITY IMPROVEMENTS AT MERCER SOFTBALL COMPLEX; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, one of the projects approved in the 2015 Parks GO Bond is improvements to the concession and restroom facilities at Mercer Softball Complex in Lions Park;

Whereas, the existing buildings at this facility were constructed when the softball complex was built in 1978 - the preliminary design includes the following:

- Demolition and reconstruction of a restroom facility;
- Conversion of the existing concession building into a 1-story building with updates to the façade, electrical, and plumbing;
- Conversion of the current umpire space into a maintenance storage area;
- Construction of four new scorer's benches; and
- Minor drainage improvements to Field 2;

Whereas, the agreement with MRB Group will include permit/construction drawings, architectural design, civil engineering, structural services, mechanical/electrical/plumbing engineering, and submission of the designs to the Texas Department of Licensing and Regulations for ADA review;

Whereas, this project is funded by the Parks GO Bonds that were approved by the voters on May 9, 2015, and sold on September 24, 2015 - funding for this agreement is available in Account No. 362-3500-552-6408, Project No. 101317; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a professional services agreement with MRB Group of Temple, Texas in the amount of \$48,080, for the design services needed to construct facility improvements at Mercer Softball Complex.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #8(O)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kevin Beavers, CPRP, Parks and Recreation Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing an agreement with Atmos Energy in the amount of \$34,360 for the termination of natural gas lines in the Martin Luther King Jr. Festival Fields project location.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: As shown on the attached map, there are several active gas lines in the area where the Martin Luther King Festival Fields is being constructed. For safety reasons, staff is recommending approval of this item which will allow Atmos Energy to terminate two of the primary gas lines running in the alleyways boundaries of Avenue B, South 4th Street, Avenue D, and South 8th Street.

On December 7, 2017, Council authorized a construction contract with R.T. Schneider Construction Company, LLC for the construction of the Martin Luther King Jr. Festival Fields. Per the contract with R.T. Schneider Construction Company, LLC, the Festival Fields project will be completed by April 8, 2018.

FISCAL IMPACT: Funding for the agreement with Atmos Energy for the termination of natural gas lines in the Martin Luther King Jr. Festival Fields project location in the amount of \$34,360 is available in Reinvestment Zone account 795-9500-531-6566, project 101262, as follows:

Project Budget	\$ 5,285,000
Encumbered/Committed to Date	(2,537,862)
Atmos Energy Agreement	(34,360)
Remaining Project Funds Available	<u>\$ 2,712,778</u>

The Martin Luther King Jr. Festival Fields project and the Santa Fe Market Trail project were combined into one project on the Financing/Project Plans as the Santa Fe Market, Line 404. The remaining project funds are for the construction of the Santa Fe Market Trail.

ATTACHMENTS:

[Natural Gas Map](#)
[Resolution](#)

GAS CONSTRUCTION PRINT



PROJECT NAME _____
 CUSTOMER _____
 ADDRESS _____
 LOCATION _____

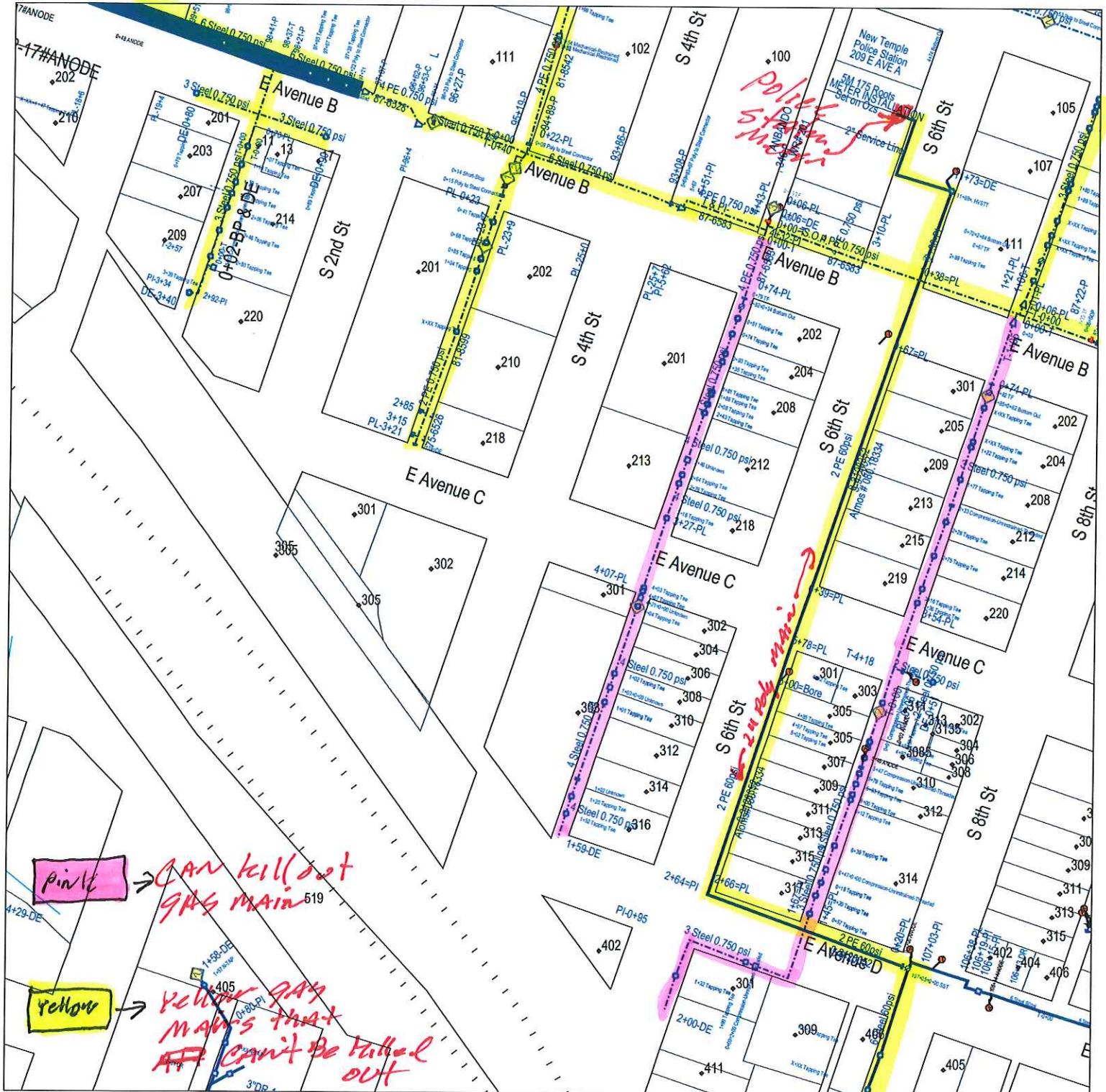
PROJECT NO. _____
 SHEET 1 _____ OF 1 _____
 DATE 01/04/2018 _____
 100 _____
 MAP # _____

PROJECT MANAGER _____
 PHONE NUMBER _____



© 2009 ATMOS ENERGY

Maps, drawings and electronic data (products) are created for the internal purposes of Atmos Energy with no implication of suitability or fitness for the internal use of the recipient. Atmos Energy will make good faith efforts to provide products that are free from error, but does not warrant the accuracy or quality of such products. The locations shown are approximations and are not intended to show exact locations. Products provided to other parties by Atmos Energy are for the internal use of the recipient, and the recipient agrees not to duplicate or distribute the products or any portion of the products to third parties without the prior written permission of Atmos Energy. The recipient further agrees to hold harmless and indemnify Atmos Energy against all claims, costs, expenses and damages resulting from or predicated upon strict liability for personal injuries, death or property damage, on account of any defects in the property provided hereunder.



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AGREEMENT WITH ATMOS ENERGY IN THE AMOUNT OF \$34,360, FOR THE TERMINATION OF NATURAL GAS LINES IN THE MARTIN LUTHER KING JR. FESTIVAL FIELDS PROJECT LOCATION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, there are several active gas lines in the Martin Luther King Festival Fields project location, which for safety reasons, should be terminated;

Whereas, on December 7, 2017, Council authorized a construction contract with R.T. Schneider Construction Company, LLC for the construction of the Martin Luther King Jr. Festival Fields in the amount of \$806,872.75;

Whereas, Staff recommends Council authorize an agreement with Atmos Energy, in the amount of \$34,360, to terminate two of the primary gas lines running in the alleyway boundaries of Avenue B, South 4th Street, Avenue D, and South 8th Street;

Whereas, funding is available for this agreement is available in Reinvestment Zone Account No. 795-9500-531-6566, Project No. 101262; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the Interim City Manager or her designee, after approval as to form by the City Attorney, to execute an agreement with Atmos Energy, in the amount of \$34,360, to terminate two of the primary gas lines running in the alleyway boundaries of Avenue B, South 4th Street, Avenue D, and South 8th Street.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #8(P)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: Considering adopting a resolution authorizing an Economic Development Agreement with Lane Enterprises, Inc.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Lane Enterprises, Inc. ("Lane") is a pipe manufacturing company specializing in the production of metal and plastic pipes used for storm water management, water quality, and bridge applications. Lane was founded in 1934 in Bath, New York and has an annual sales of \$70.3 million.

Lane has been working with the Temple Economic Development Corporation ("TEDC") to identify rail-served property in Temple on which to construct a new manufacturing facility for the production of high density polyethylene pipe (HDPE pipe). The estimated capital expenditure for the site is \$16.3 million over five years. The facility will employ 21 employees with an average annual wage of approximately \$55,300.

Lane is in the negotiating process with TEDC to purchase 20.99 acres in the northern industrial park. The site is rail-served as required and an existing rail spur runs along the west side of the 20.99 acre tract. The Final Plat of Camp Hill, attached to this Memorandum, shows the 20.99 acre tract and adjacent rail spur. The rail spur was dedicated to the City of Temple through the Final Plat of Camp Hill. Lane has requested a non-exclusive easement from the City to utilize the rail spur in its operations.

The proposed resolution would authorize an Economic Development Agreement between the City of Temple and Lane. In the agreement, Lane would agree to make the capital investment described above and the City would agree to convey a non-exclusive easement for use of the rail spur. The City would retain responsibility for maintenance of the spur and the ability to use the spur for its own purposes, if necessary. The City would also retain the ability to allow another entity use of the spur.

Staff recommends Council authorize the proposed Economic Development Agreement with Lane because it will result in new taxable value in the City and the creation of new jobs.

FISCAL IMPACT: A capital expenditure of \$16.3 million will generate approximately \$110,000 in ad valorem tax revenue per year. The property is located within the RZ#1 boundaries. The tax revenue collected on the real property improvements will be revenue to the RZ#1.

ATTACHMENTS:

[Final Plat of Camp Hill
Resolution](#)

FINAL PLAT OF
CAMP HILL

BEING 35.03 ACRES IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, SITUATED IN THE J. W. MOORE SURVEY, ABSTRACT 582, BELL COUNTY, TEXAS, embracing a portion of the remainder of a called 63.110 Acre tract conveyed as Tract One and the remainder of a called 14.470 Acre tract conveyed as Tract Two to the Temple Economic Development Corporation in Document No. 2008-00025786, Official Public Records of Real Property, Bell County, Texas.

STATE OF TEXAS
COUNTY OF BELL

THAT, THE TEMPLE ECONOMIC DEVELOPMENT CORPORATION, A TEXAS NON-PROFIT CORPORATION BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS CAMP HILL, WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DOES HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS SUBDIVISION.

By: CHARLEY AYRES, VICE PRESIDENT
TEMPLE ECONOMIC DEVELOPMENT CORPORATION, a Texas non-profit corporation
One South First Street
Temple, Texas 76701

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED CHARLEY AYRES, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2011.

NOTARY PUBLIC, STATE OF TEXAS

THIS FINAL PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF TEMPLE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS _____ DAY OF _____, 2011.

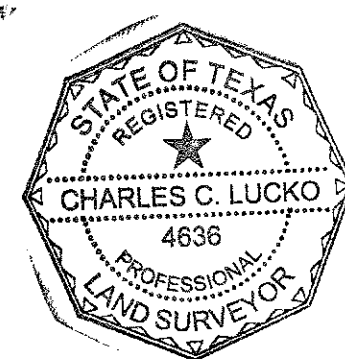
CHAIRPERSON SECRETARY, PLANNING & ZONING

STATE OF TEXAS
COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SHOWN THEREON.

Charles C. Lucko

CHARLES C. LUCKO, R.P.L.S.
REGISTRATION NO. 4636
DATE SURVEYED: OCTOBER 10, 2011



This project is referenced to the City of Temple Coordinate System, NAD 83, Texas Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 513. The theta angle at City Monument No. 513 is 01° 30' 56". The combined correction factor (CCF) is 0.999954. Grid distance = Surface distance X CCF. Geodetic north = grid north + theta angle. Published City coordinates for City Monument No. 513 are N= 10,401,860.41 E= 3,217,045.53. Reference tie from City Monument No. 513 to the southeast corner of said 30.80 Acre tract is S 52°41'45" E 14430.2 feet.

Based upon what can be scaled from the graphics shown on Federal Insurance Rate Map (FIRM), Community Panel No. 480271C01ADE, dated September 26, 2009, the above shown property does not appear within the "Special Flood Hazard Area", and appears to be situated in Zone X. This flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or company.

AFFIDAVIT:

The Tax Appraisal District of Bell County does hereby certify there are currently no delinquent taxes due to the Tax Appraisal District of Bell County on the property described by this plat.

Dated this the _____ day of _____, 2011 A. D.

By: _____
Bell County Tax Appraisal District

LOT 1, BLOCK 1
NORTHLAND SYNERGY ADDITION
CAB. D, SI. 264-A

PORTION OF
CALLED 63.110 ACRES
TRACT ONE
TEMPLE ECONOMIC
DEVELOPMENT CORPORATION
Doc. No. 2008-00025786

CALLED 0.804 ACRE
WESTERN EMULSIONS, INC.
Doc. No. 2014-00043607

LOT 1, BLOCK 1
WESTERN EMULSIONS ADDITION
Plat Year 2014, Plat No. 35

LOT 1
BLOCK 1
11.526 ACRES

LOT 1
BLOCK 2
20.99 ACRES

TRACT A - 2.221 ACRE
DEDICATED TO THE CITY OF TEMPLE

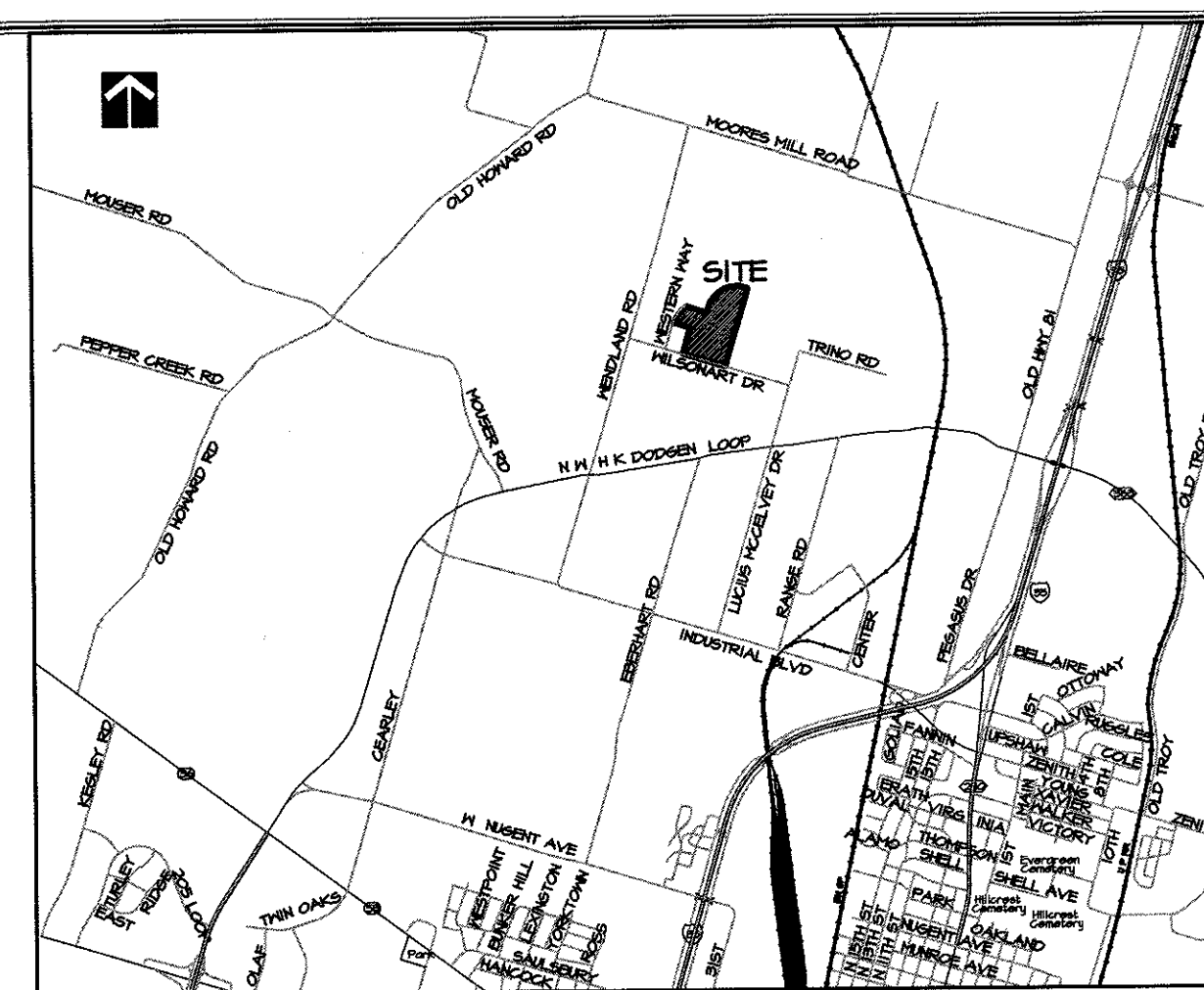
0.241 ACRE
PUBLIC STREET RIGHT-OF-WAY
CONVEYED TO THE CITY OF TEMPLE

WILSONART INTERNATIONAL
TEMPLE NORTH CAMPUS
CAB. C, SL. 315-A, B, & C

WILSONART DRIVE

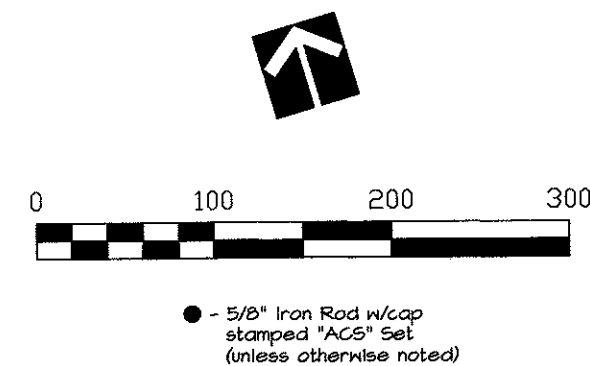
Unable to locate record information for this portion of roadway.

CALLED 15.05 ACRES
THE CITY OF TEMPLE
Doc. No. 2010-00012088



VICINITY MAP - N.T.S.

LOTS - TWO (2)
BLOCKS - TWO (2)
2.221 ACRES CONVEYED TO THE CITY
OF TEMPLE FOR RAILWAY PURPOSES
0.241 ACRE CONVEYED TO THE CITY
OF TEMPLE FOR ROADWAY PURPOSES
TOTAL AREA - 35.03 ACRES



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BRG	DELTA ANGLE
C1	514.20'	349.17'	304.23'	N 34°33'04" E	44°28'44"
C2	624.78'	850.91'	106.70'	N 56°16'33" E	78°02'17"
C3	514.83'	754.70'	105.61'	S 55°08'18" W	75°43'21"

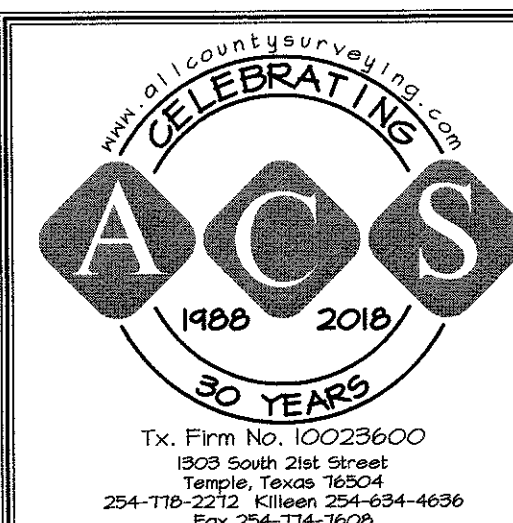
LINE	BEARING	DISTANCE
L1	N 14°24'00" E	14.63'
L2	N 28°24'26" W	34.91'

FINAL PLAT OF

CAMP HILL

WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

Plot Date: 11-14-2011
Survey completed: 10-10-2011
Scale: 1" = 100'
Job No. 170855
Dwg No. 170855P
Drawn by SLN
Surveyor CCL #4636
Copyright 2011 All County Surveying, Inc.



Tx. Firm No. 10023600
503 South 21st Street
Temple, Texas 76704
254-718-2212, Killeen 254-634-4636
Fax 254-714-1608

RECORDATION INFORMATION:

FILED FOR RECORD THIS _____ DAY OF _____, 2011.

IN YEAR _____ PLAT # _____, PLAT RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT # _____, OFFICIAL RECORDS OF BELL COUNTY, TEXAS.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, AUTHORIZING AN ECONOMIC DEVELOPMENT
AGREEMENT WITH LANE ENTERPRISES; AND PROVIDING AN
OPEN MEETINGS CLAUSE.

Whereas, Lane Enterprises, Inc. (“Lane”) is a pipe manufacturing company specializing in the production of metal and plastic pipes used for storm water management, water quality, and bridge applications;

Whereas, Lane was founded in 1934 in Bath, New York and has an annual sales of \$70.3 million;

Whereas, Lane has been working with the Temple Economic Development Corporation (“TEDC”) to identify rail-served property in Temple on which to construct a new manufacturing facility for the production of high density polyethylene pipe (HDPE pipe) - the estimated capital investment for the new facility is \$16.3 million;

Whereas, Lane is in the negotiating process with TEDC to purchase approximately 20.99 acres in the northern industrial park - this site is rail-served as required and an existing rail spur runs along the west side of the 20.99 acre tract;

Whereas, the rail spur was dedicated to the City of Temple through the Final Plat of Camp Hill and Lane has requested a non-exclusive easement from the City to utilize the rail spur in its operations;

Whereas, in this Economic Development Agreement between the City of Temple and Lane, Lane would agree to make the capital investment described above and the City would agree to convey a non-exclusive easement for use of the rail spur - the City would retain responsibility for maintenance of the spur and the ability to use the spur for its own purposes, if necessary;

Whereas, Staff recommends Council authorize the proposed Economic Development Agreement with Lane because it will result in new taxable value in the City and the creation of new jobs;

Whereas, the City will be responsible for all future maintenance of the rail spur; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute an Economic Development Agreement with Lane Enterprises, Inc.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #8(Q)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the engagement of Naman, Howell, Smith & Lee, PLLC for legal services.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Naman, Howell, Smith & Lee, PLLC ("Naman, Howell") is a law firm with offices in Waco, Austin, Fort Worth, and San Antonio. The City has worked with and received legal representation from Naman, Howell in many cases over the last several years. The City is currently involved in a dispute with the Temple Police Association ("TPA") regarding legal issues related to the 2017 Meet & Confer Agreement between the City and TPA. Staff is interested in engaging Naman, Howell to assist the City Attorney's Office with resolving this dispute.

If the City engages Naman, Howell, legal services will be provided primarily by partners Roy Barrett and Joe Rivera, and by associate, Stephanie Schwab. All three attorneys are based in the law firm's Waco office. The City will be billed monthly at hourly rates set by the law firm.

Staff recommends that Council authorize the engagement of Naman, Howell. Staff believes that the law firm's assistance will help the City reach an efficient resolution to this ongoing dispute.

FISCAL IMPACT: A budget adjustment is being presented to Council for approval to reallocate funds from contingency to account 110-1600-512-2616, Professional fees, to fund the legal services. It is estimated the legal services will range from \$5,000 to \$10,000.

ATTACHMENTS:

[Budget Adjustment
Resolution](#)

FY **2018****BUDGET ADJUSTMENT FORM**

Use this form to make adjustments to your budget. All adjustments must balance within a Department.

Adjustments should be rounded to the nearest \$1.

			+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
110-1600-512-26-16		Professional Fees	\$ 10,000			
110-1500-515-65-31		Contingency-Judgements & Damages			10,000	
TOTAL.....			\$ 10,000		\$ 10,000	

EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.

To allocate funding for legal services related to the 2017 Meet & Confer Agreement between the City and Temple Police Association. It is estimated the legal services will range from \$5,000 to \$10,000.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

1/18/2018

WITH AGENDA ITEM?

☒ Yes☐ No

Department Head/Division Director

Date

☐ Approved
☐ Disapproved

Finance

Date

☐ Approved
☐ Disapproved

City Manager

Date

☐ Approved
☐ Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE ENGAGEMENT OF NAMAN, HOWELL, SMITH & LEE, PLLC FOR LEGAL SERVICES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Naman, Howell, Smith & Lee, PLLC (“Naman, Howell”) is a law firm with offices in Waco, Austin, Fort Worth, and San Antonio, Texas;

Whereas, the City has worked with and received legal representation from Naman, Howell in many cases over the last several years and the City is currently involved in a dispute with the Temple Police Association (“TPA”) regarding legal issues related to the 2017 Meet & Confer Agreement between the City and TPA;

Whereas, Staff is interested in engaging Naman, Howell to assist the City Attorney’s Office with resolving this dispute and will be billed monthly at hourly rates set by the law firm;

Whereas, Staff recommends that Council authorize the engagement of Naman, Howell for legal services - Staff believes that the law firm’s assistance will help the City reach an efficient resolution to this ongoing dispute;

Whereas, Staff recommends Council approve the attached budget adjustment to reallocate funds from a contingency account into Account No. 110-1600-512-2616.

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to engage Naman, Howell, Smith & Lee, PLLC for legal services at an hourly rate set by the firm.

Part 3: The City Council authorizes an amendment to the fiscal year 2018 budget, substantially in the form of the copy attached hereto as Exhibit ‘A.’

Part 4: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #8(R)
Consent Agenda
Page 1 of 1

DEPT. / DIVISION SUBMISSION & REVIEW:

Brynn Myers, Interim City Manager
Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a lease agreement between the City of Temple, City of Belton, and the US Army Corp of Engineers for the Miller Springs Nature Center.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Miller Springs Nature Center is an approximately 258 acres scenic natural area located between the Leon River and 110 foot high bluffs, immediately east of the Lake Belton Dam. It is located along the boundaries of the City of Temple and City of Belton and the land is owned by the Corp of Engineers.

The Nature Center was opened in November 1993 when the Miller Springs Alliance entered into a lease agreement with the Corp. The agreement between the Corp and Miller Springs Alliance ended August 2017 and the facility was indefinitely closed.

We have heard significant interest from citizens in finding a path to re-open the facility. Staff from the City of Temple, City of Belton, and the US Army Corp of Engineers have been working on a partnership opportunity for re-opening the facility.

Staff is proposing a short term lease to allow us to reopen the facility this fiscal year by temporarily reassigning some Parks staff and shifting project priorities.

This short term lease will allow us to continue to assess a long term strategy for operation of the facility.

Staff is proposing an agreement term of one-year, with the option of four one-year renewals.

FISCAL IMPACT: The FY 2018 budget includes funding for the staff that will be reassigned. Funds will be available for repairs and maintenance in the FY 2018 from the reprioritization of other projects to the operation of Miller Springs.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A LEASE AGREEMENT BETWEEN THE CITY OF TEMPLE, CITY OF BELTON, AND THE US ARMY CORP OF ENGINEERS FOR THE MILLER SPRINGS NATURE CENTER; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Miller Springs Nature Center (“Nature Center”) is an approximately 258-acre scenic natural area located between the Leon River and 110-foot high bluffs, immediately east of the Lake Belton Dam and located along the boundaries of the City of Temple and City of Belton and the land is owned by the Corp of Engineers (“Corp”);

Whereas, the Nature Center was opened in November 1993 when the Miller Springs Alliance entered into a lease agreement with the Corp - the agreement between the Corp and Miller Springs Alliance ended August 2017 and the facility was indefinitely closed;

Whereas, Staff from the City of Temple, City of Belton, and the US Army Corp of Engineers have been working on a partnership opportunity for re-opening the facility;

Whereas, Staff recommends a short-term lease which will reopen the facility this fiscal year by temporarily reassigning staff and shifting project priorities;

Whereas, this short-term lease will allow Staff to continue to assess a long-term strategy for operation of the facility;

Whereas, Staff recommends Council authorize a lease agreement between the City of Temple, City of Belton, and the US Army Corp of Engineers for the Miller Springs Nature Center for a term of one-year, with the option of four one-year renewals;

Whereas, the fiscal year 2018 budget includes funding for the temporary reassignment of Staff and funds will be available for repairs and maintenance from the reprioritization of other projects to the operation of Miller Springs Nature Center; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to enter into a lease agreement between the City of Temple, City of Belton, and the US Army Corp of Engineers for the Miller Springs Nature Center for a term of one-year, with the option of four one-year renewals.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT. /DIVISION SUBMISSION & REVIEW:

Brynn Myers, Acting City Manager

ITEM DESCRIPTION: SECOND READING: Consider adopting an ordinance amending ordinance 2017-4842 to authorize City Manager approval of a number of economic development incentives for neighborhood revitalization in the East Temple area.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description on second and final reading.

ITEM SUMMARY: On May 18, 2017, the City Council adopted ordinance 2017-4842. The purpose of the ordinance is to promote neighborhood revitalization in East Temple through infill redevelopment. This program includes incentives for residential and commercial structures' rehabilitation, expansion, and/or new construction. The ordinance created an infill redevelopment incentive zone in the East Temple infill redevelopment target area designed to encourage infill redevelopment that might otherwise not occur in the absence of incentives.

The language in the original ordinance requires that each individual incentive agreements be presented to the City Council for approval.

Staff is requesting that authority be granted to the City Manager to approve incentive agreements that meet the requirements of the program.

FISCAL IMPACT: Incentives proposed under this program would be in the form of in-kind services or through forgoing potential revenue.

ATTACHMENTS:

[Ordinance](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, AMENDING ORDINANCE NO. 2017-4842 TO AUTHORIZE THE CITY MANAGER TO APPROVE A NUMBER OF ECONOMIC DEVELOPMENT INCENTIVES FOR NEIGHBORHOOD REVITALIZATION IN THE EAST TEMPLE AREA; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on May 18, 2017, Council adopted Ordinance 2017-4842 to promote neighborhood revitalization in East Temple through infill redevelopment;

Whereas, this program includes incentives for residential and commercial structures' rehabilitation, expansion, and/or new construction;

Whereas, the Ordinance created an Infill Redevelopment Incentive Zone in the East Temple infill redevelopment target area designed to encourage infill redevelopment that might otherwise not occur in the absence of incentives;

Whereas, the language in the original Ordinance requires that each individual incentive agreement be presented to the City Council for approval;

Whereas, Staff recommends Council authorize City Manager approval of incentive agreements that meet the requirements of the program;

Whereas, incentives proposed under this program will be in the form of in-kind services or through forgoing potential revenue; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: The City Council authorizes the City Manager to approve a number of economic development incentives for neighborhood revitalization in the East Temple area.

Part 3: If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Part 4: This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 5: It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **7th** day of **December**, 2017.

PASSED AND APPROVED on Second and Final Reading on the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Mitch Randles, Fire Chief

Sandra Esqueda, Director of Human Resources

ITEM DESCRIPTION: SECOND READING: Consider adopting an ordinance to include a Special Operations Team certification pay for qualified Firefighters in the Fire Department.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description on second and final reading.

ITEM SUMMARY: Chapter 143.44(b) of the Local Government Code requires that Council establish certification pay by ordinance. Section 44 of the Rules and Regulations of the Temple Fire Fighters' and Police Officers' Civil Service Commission, "Certification and Education Incentive Pay", provides for granting of certification pay to qualified Firefighters upon completion of their probationary period.

During the 2017-2018 budgetary process, Fire Department staff recommended, and Council approved, including a Special Operations certification pay of \$600 per year for qualified Firefighters. To qualify, Firefighters must obtain and maintain the certifications required to operate during Special Operations call outs. This training and certification is critical to maintaining the Department's ability to respond in an all-hazards role, and to maintain the high level of readiness needed by our city. Additionally, the Fire Department has been operating as a Special Operations and Haz-mat provider by agreement with the CTCOG for a number of years.

FISCAL IMPACT: Funding in the amount of \$28,800 was appropriated to the FY2018 Operating Budget to fund up to 48 Fire Department personnel with the Special Operations Team certification pay.

ATTACHMENTS:

[Fire Department Operational Guideline Ordinance](#)



OPERATING GUIDELINES

TITLE: TFR Special Operation Pay
NUMBER: 1.19.0-18
EFFECTIVE: January 26, 2018
REFERENCE:
SUPERCEDES: All previous

Mitchell D. Randles
Fire Chief

I. PURPOSE

To specify the circumstances in which Special Operations pay will be awarded and maintained to Fire Department personnel.

II. GUIDELINE

Temple Fire and Rescue supports six types of Specialized Operations training to ensure that we are ready, able, and trained to respond to the wide variety of emergency incidents which are likely to occur. This specialized level of response is significant because of the level of expertise required to perform a successful rescue during these highly technical events.

Recognized Training

Haz-mat Technician
Confined Space Rescue Technician
Rope Rescue Technician
Collapse Rescue Technician
Swift Water Rescue Technician
Trench Rescue Technician

Training hours required

80 with State certification
40 with certification
40 with certification
40 with certification
40 with certification
40 with certification

Eligibility Requirements:

1. Be currently certified in the following.
 - a. Haz-mat Technician plus at least one other certification, or
 - b. 4 certifications other than Haz-mat Technician
2. Attend at least 9 of 12 Special Operations training sessions per year, regardless of vacations and holidays;
3. Actively participate in Special Operation callouts, and
4. Actively participate in training other Department members and regional partners in assistance to the Special Operation Team.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING SPECIAL OPERATIONS TEAM CERTIFICATION PAY FOR QUALIFIED FIREFIGHTERS IN THE FIRE DEPARTMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Chapter 143.044(b) of the Texas Local Government Code requires that Council establish certification pay by Ordinance;

Whereas, Section 44 of the Rules and Regulations of the Temple Fire Fighters' and Police Officers' Civil Service Commission, "Certification and Education Incentive Pay", provides for granting of certification pay to qualified Firefighters upon completion of their probationary period;

Whereas, during the 2017-2018 budgetary process, Fire Department Staff recommended, and Council approved, including a Special Operations certification pay of \$600 per year for qualified Firefighters;

Whereas, to qualify for the Special Operations Team Certification pay, Firefighters must obtain and maintain the certifications required to operate during Special Operations call outs - this training and certification is critical to maintaining the Department's ability to respond in an all-hazards role, and to maintain the high level of readiness needed by our City;

Whereas, the Fire Department has been operating as a Special Operations and Hazmat provider by agreement with the Central Texas Councils of Governments for a number of years;

Whereas, funding for this certification pay was appropriated in the fiscal year 2018 budget to fund up to 48 Fire Department personnel with the Special Operations Team certification pay; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: The City Council authorizes Special Operations Team Certification pay for qualified Firefighters in the Fire Department at the rate of \$600 per year.

Part 3: All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Part 4: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid phrase, clause, sentence, paragraph or section.

Part 5: This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the 7th day of **December**, 2017.

PASSED AND APPROVED on Second Reading on the 18th day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: SECOND READING: Consider adopting an ordinance authorizing an amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to appropriate additional funding for TMED South 1st Street in FY 2018.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description on second and final reading.

ITEM SUMMARY: The Reinvestment Zone No. 1 Finance Committee met on November 28th to recommend a change to the Financing and Project Plans based on discussions related to the Advanced Funding Agreement with TxDOT related to a change order for the construction of TMED South 1st Street. The proposed amendment allocates funding for the following project:

- Additional funding of \$425,000 for construction of TMED South 1st Street

The construction budget for this project is currently \$1,320,000. The current proposed change order is approximately \$1,745,000. Staff and KPA are reviewing the change order to identify savings to reduce the cost. Based on those savings, the amount could be reduced. We are recommending funding \$425,000 at this time.

The additional funding is available from projects that are in the final stages of completion and from funds allocated for rail maintenance and road/signage maintenance. Detail of the allocation is shown below.

FISCAL IMPACT: The proposed amendment allocates funding within the FY 2018 Financing and Project Plans as shown below:

Line #	Description	FY 2018
468	TMED South 1st Street	\$ 425,000
56	Rail Maintenance	\$ (190,815)
58	Road/Signage Maintenance	\$ (138,243)
155	Pepper Creek Trail Hwy 36 to McLane Parkway	\$ (70,127)
462	Avenue U	\$ (25,815)
	Net change in projects	\$ -

ATTACHMENTS:

Financing Plan
Summary Financing Plan with Detailed Project Plan
Budget Adjustment
Ordinance

FINANCING PLAN
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	DESCRIPTION	Y/E 9/30/18 Year 36	Y/E 9/30/19 Year 37	Y/E 9/30/20 Year 38	Y/E 9/30/21 Year 39	Y/E 9/30/22 Year 40
1	"Taxable Increment"	\$ 426,069,294	\$ 415,287,167	\$ 409,874,095	\$ 397,412,766	\$ 426,871,090
1	FUND BALANCE, Begin	\$ 20,539,893	\$ 2,108,195	\$ 7,790,064	\$ 4,542,317	\$ 6,144,385
2	Adjustments to Debt Service Reserve	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 20,539,893	\$ 2,108,195	\$ 7,790,064	\$ 4,542,317	\$ 6,144,385
	SOURCES OF FUNDS:					
4	Tax Revenues	17,793,995	17,171,851	16,588,792	15,961,146	15,848,781
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(266,910)	(257,578)	(248,832)	(239,417)	(237,732)
8	Interest Income-Other	50,000	40,000	40,000	30,000	10,000
10	Grant Funds	1,170,000	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	106,600	-	-	-	-
15	Sale of land	600,000	-	-	-	-
17	Bond Proceeds	22,000,000	-	-	-	-
20	Total Sources of Funds	\$ 41,489,685	\$ 16,990,273	\$ 16,415,960	\$ 15,787,729	\$ 15,657,049
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 62,029,578	\$ 19,098,468	\$ 24,206,024	\$ 20,330,046	\$ 21,801,434
	USE OF FUNDS:					
	DEBT SERVICE					
27	2009 Bond Refunding	1,488,750	1,485,000	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29	Debt Service - 2011A Issue {Refunding}	908,350	915,950	2,497,800	2,497,550	2,494,950
30	Debt Service - 2012 Issue {Refunding}	79,600	77,650	80,050	77,250	78,750
31	Debt Service - 2013 Issue {\$25.260 mil}	2,047,694	2,048,344	2,047,944	2,046,494	2,031,494
32	Debt Service - 2018 Issue {\$22 mil}	-	1,666,724	1,664,606	1,435,756	1,383,056
35	Paying Agent Services	1,700	1,700	1,700	1,700	1,700
40	Subtotal-Debt Service	5,768,051	7,436,541	7,529,844	7,300,420	7,232,372
	OPERATING EXPENDITURES					
50	Prof Svcs/Proj Mgmt	252,454	175,000	175,000	175,000	175,000
52	Legal/Audit	1,300	1,300	1,300	1,300	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000
56	Rail Maintenance	112,100	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	200,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	27,563	27,563	27,563	28,941	28,941
65	Subtotal-Operating Expenditures	1,123,417	933,863	933,863	935,241	935,341
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 6,891,468	\$ 8,370,404	\$ 8,463,707	\$ 8,235,661	\$ 8,167,713
80	Funds Available for Projects	\$ 55,138,111	\$ 10,728,064	\$ 15,742,317	\$ 12,094,385	\$ 13,633,721
	PROJECTS					
150	Temple Industrial Park	421,920	-	-	-	-
200	Corporate Campus Park	157,813	-	-	-	-
250	Bioscience Park/Crossroads Park	3,191,551	-	-	-	-
350	Research Parkway/Outer Loop	23,884,019	-	10,750,000	-	-
400	Synergy Park	46,846	-	-	-	-
450	Downtown	17,300,112	450,000	450,000	450,000	450,000
500	TMED	3,629,192	2,488,000	-	-	-
550	Airport Park	2,037,063	-	-	-	-
610	Public Improvements	2,361,400	-	-	5,500,000	7,000,000
	Subtotal-Projects	53,029,916	2,938,000	11,200,000	5,950,000	7,450,000
	TOTAL USE OF FUNDS	\$ 59,921,384	\$ 11,308,404	\$ 19,663,707	\$ 14,185,661	\$ 15,617,713
700	FUND BALANCE, End	\$ 2,108,195	\$ 7,790,064	\$ 4,542,317	\$ 6,144,385	\$ 6,183,721

	DESCRIPTION	2023 41	2024 42	2025 43	2026 44	2027 45	2028 46	2029 47	2030 48	2031 49	2032 50
1	"Taxable Increment"	\$ 430,495,341	\$ 473,225,671	\$ 510,957,928	\$ 603,517,507	\$ 632,140,107	\$ 638,461,508	\$ 644,846,123	\$ 651,294,584	\$ 657,807,530	\$ 664,385,606
1	FUND BALANCE, Begin	\$ 6,183,721	\$ 3,310,567	\$ 2,583,400	\$ 2,926,759	\$ 2,790,276	\$ 2,847,862	\$ 2,584,098	\$ 2,499,993	\$ 2,595,184	\$ 2,869,120
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 6,183,721	\$ 3,310,567	\$ 2,583,400	\$ 2,926,759	\$ 2,790,276	\$ 2,847,862	\$ 2,584,098	\$ 2,499,993	\$ 2,595,184	\$ 2,869,120
SOURCES OF FUNDS:											
4	Tax Revenues	15,394,809	16,049,463	16,639,966	17,945,912	18,402,247	18,586,255	18,772,103	18,959,809	19,149,392	19,340,871
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(230,922)	(240,742)	(249,599)	(269,189)	(276,034)	(278,794)	(281,582)	(284,397)	(287,241)	(290,113)
8	Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10	Grant Funds	-	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	-	-	-	-	-	-	-	-	-
15	Sale of land	-	-	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 15,209,887	\$ 15,854,721	\$ 16,436,367	\$ 17,722,723	\$ 18,172,213	\$ 18,353,461	\$ 18,536,521	\$ 18,721,412	\$ 18,908,151	\$ 19,096,758
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 21,393,608	\$ 19,165,288	\$ 19,019,766	\$ 20,649,483	\$ 20,962,489	\$ 21,201,324	\$ 21,120,619	\$ 21,221,405	\$ 21,503,335	\$ 21,965,878
USE OF FUNDS:											
DEBT SERVICE											
27	2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29	Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30	Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31	Debt Service - 2013 Issue {\$25.260 mil}	2,030,094	2,026,694	2,038,413	2,051,613	2,059,113	2,061,713	2,061,713	2,069,113	2,073,513	2,084,913
32	Debt Service - 2018 Issue {\$22 mil}	1,666,406	1,667,206	1,666,606	1,669,606	1,666,006	1,666,006	1,669,406	1,666,006	1,669,600	1,664,663
35	Paying Agent Services	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200
40	Subtotal-Debt Service	3,697,700	3,695,100	3,706,219	3,722,419	3,726,319	3,728,919	3,732,319	3,736,319	3,744,313	3,750,776
OPERATING EXPENDITURES											
50	Prof Svcs/Proj Mgmt	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000
56	Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	28,941	30,388	30,388	30,388	31,907	31,907	31,907	33,502	33,502	33,502
65	Subtotal-Operating Expenditures	935,341	936,788	936,788	936,788	938,307	938,307	938,307	939,902	939,902	939,902
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 4,633,041	\$ 4,631,888	\$ 4,643,007	\$ 4,659,207	\$ 4,664,626	\$ 4,667,226	\$ 4,670,626	\$ 4,676,221	\$ 4,684,215	\$ 4,690,678
80	Funds Available for Projects	\$ 16,760,567	\$ 14,533,400	\$ 14,376,759	\$ 15,990,276	\$ 16,297,862	\$ 16,534,098	\$ 16,449,993	\$ 16,545,184	\$ 16,819,120	\$ 17,275,200
PROJECTS											
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350	Research Parkway/Outer Loop	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	13,000,000	11,500,000	11,000,000	12,750,000	13,000,000	13,500,000	13,500,000	13,500,000	13,500,000	14,000,000
	Subtotal-Projects	13,450,000	11,950,000	11,450,000	13,200,000	13,450,000	13,950,000	13,950,000	13,950,000	13,950,000	14,450,000
TOTAL USE OF FUNDS											
700	FUND BALANCE, End	\$ 3,310,567	\$ 2,583,400	\$ 2,926,759	\$ 2,790,276	\$ 2,847,862	\$ 2,584,098	\$ 2,499,993	\$ 2,595,184	\$ 2,869,120	\$ 2,825,200

	DESCRIPTION	2033 51	2034 52	2035 53	2036 54	2037 55	2038 56	2039 57	2040 58	2041 59	2042 60
1	"Taxable Increment"	\$ 671,029,462	\$ 677,739,756	\$ 684,517,154	\$ 691,362,325	\$ 698,275,949	\$ 705,258,708	\$ 712,311,295	\$ 719,434,408	\$ 726,628,752	\$ 733,895,040
1	FUND BALANCE, Begin	\$ 2,825,200	\$ 2,461,998	\$ 2,881,482	\$ 2,995,364	\$ 2,551,527	\$ 3,312,817	\$ 3,024,618	\$ 3,600,322	\$ 3,380,261	\$ 2,866,477
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 2,825,200	\$ 2,461,998	\$ 2,881,482	\$ 2,995,364	\$ 2,551,527	\$ 3,312,817	\$ 3,024,618	\$ 3,600,322	\$ 3,380,261	\$ 2,866,477
SOURCES OF FUNDS:											
4	Tax Revenues	19,534,265	19,729,593	19,926,875	20,126,129	20,327,375	20,530,634	20,735,926	20,943,271	21,152,689	21,364,201
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(293,014)	(295,944)	(298,903)	(301,892)	(304,911)	(307,960)	(311,039)	(314,149)	(317,290)	(320,463)
8	Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10	Grant Funds	-	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	-	-	-	-	-	-	-	-	-
15	Sale of land	-	-	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 19,287,251	\$ 19,479,649	\$ 19,673,972	\$ 19,870,237	\$ 20,068,464	\$ 20,268,674	\$ 20,470,887	\$ 20,675,122	\$ 20,881,399	\$ 21,089,738
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 22,112,451	\$ 21,941,647	\$ 22,555,454	\$ 22,865,601	\$ 22,619,991	\$ 23,581,492	\$ 23,495,505	\$ 24,275,444	\$ 24,261,660	\$ 23,956,215
USE OF FUNDS:											
DEBT SERVICE											
27	2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29	Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30	Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31	Debt Service - 2013 Issue {\$25.260 mil}	2,092,913	-	-	-	-	-	-	-	-	-
32	Debt Service - 2018 Issue {\$22 mil}	1,664,763	1,667,388	1,667,313	1,669,538	1,663,838	1,663,538	-	-	-	-
35	Paying Agent Services	1,200	1,200	1,200	1,200	-	-	-	-	-	-
40	Subtotal-Debt Service	3,758,876	1,668,588	1,668,513	1,670,738	1,663,838	1,663,538	-	-	-	-
OPERATING EXPENDITURES											
50	Prof Svcs/Proj Mgmt	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000
56	Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	35,177	35,177	35,177	36,936	36,936	36,936	38,783	38,783	38,783	40,722
65	Subtotal-Operating Expenditures	941,577	941,577	941,577	943,336	943,336	943,336	945,183	945,183	945,183	947,122
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 4,700,453	\$ 2,610,165	\$ 2,610,090	\$ 2,614,074	\$ 2,607,174	\$ 2,606,874	\$ 945,183	\$ 945,183	\$ 945,183	\$ 947,122
80	Funds Available for Projects	\$ 17,411,998	\$ 19,331,482	\$ 19,945,364	\$ 20,251,527	\$ 20,012,817	\$ 20,974,618	\$ 22,550,322	\$ 23,330,261	\$ 23,316,477	\$ 23,009,092
PROJECTS											
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350	Research Parkway/Outer Loop	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	14,500,000	16,000,000	16,500,000	17,250,000	16,250,000	17,500,000	18,500,000	19,500,000	20,000,000	20,000,000
	Subtotal-Projects	14,950,000	16,450,000	16,950,000	17,700,000	16,700,000	17,950,000	18,950,000	19,950,000	20,450,000	20,450,000
TOTAL USE OF FUNDS											
700	FUND BALANCE, End	\$ 2,461,998	\$ 2,881,482	\$ 2,995,364	\$ 2,551,527	\$ 3,312,817	\$ 3,024,618	\$ 3,600,322	\$ 3,380,261	\$ 2,866,477	\$ 2,559,092

	DESCRIPTION	2043 61	2044 62	2045 63	2046 64	2047 65	2048 66	2049 67	2050 68	2051 69	2052 70
1	"Taxable Increment"	\$ 741,233,990	\$ 748,646,330	\$ 756,132,793	\$ 763,694,121	\$ 771,331,062	\$ 779,044,373	\$ 786,834,817	\$ 794,703,165	\$ 802,650,197	\$ 810,676,699
1	FUND BALANCE, Begin	\$ 2,559,092	\$ 2,816,372	\$ 2,753,271	\$ 2,869,451	\$ 2,668,759	\$ 2,653,027	\$ 2,821,967	\$ 2,679,585	\$ 2,727,768	\$ 2,966,176
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 2,559,092	\$ 2,816,372	\$ 2,753,271	\$ 2,869,451	\$ 2,668,759	\$ 2,653,027	\$ 2,821,967	\$ 2,679,585	\$ 2,727,768	\$ 2,966,176
	SOURCES OF FUNDS:										
4	Tax Revenues	18,226,905	18,409,159	18,593,236	18,779,153	18,966,930	19,156,585	19,348,136	19,541,603	19,737,004	19,934,359
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(273,404)	(276,137)	(278,899)	(281,687)	(284,504)	(287,349)	(290,222)	(293,124)	(296,055)	(299,015)
8	Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10	Grant Funds	-	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	-	-	-	-	-	-	-	-	-
15	Sale of land	-	-	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 17,999,501	\$ 18,179,022	\$ 18,360,337	\$ 18,543,466	\$ 18,728,426	\$ 18,915,236	\$ 19,103,914	\$ 19,294,479	\$ 19,486,949	\$ 19,681,344
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 20,558,594	\$ 20,995,393	\$ 21,113,609	\$ 21,412,917	\$ 21,397,185	\$ 21,568,263	\$ 21,925,881	\$ 21,974,064	\$ 22,214,717	\$ 22,647,520
	USE OF FUNDS:										
	DEBT SERVICE										
27	2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29	Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30	Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31	Debt Service - 2013 Issue {\$25.260 mil}	-	-	-	-	-	-	-	-	-	-
32	Debt Service - 2018 Issue {\$22 mil}	-	-	-	-	-	-	-	-	-	-
35	Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40	Subtotal-Debt Service	-	-	-	-	-	-	-	-	-	-
	OPERATING EXPENDITURES										
50	Prof Svcs/Proj Mgmt	175,100	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
56	Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	40,722	40,722	42,758	42,758	42,758	44,896	44,896	44,896	47,141	47,141
65	Subtotal-Operating Expenditures	792,222	792,122	794,158	794,158	794,158	796,296	796,296	796,296	798,541	798,541
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 792,222	\$ 792,122	\$ 794,158	\$ 794,158	\$ 794,158	\$ 796,296	\$ 796,296	\$ 796,296	\$ 798,541	\$ 798,541
80	Funds Available for Projects	\$ 19,766,372	\$ 20,203,271	\$ 20,319,451	\$ 20,618,759	\$ 20,603,027	\$ 20,771,967	\$ 21,129,585	\$ 21,177,768	\$ 21,416,176	\$ 21,848,979
	PROJECTS										
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350	Research Parkway/Outer Loop	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	16,500,000	17,000,000	17,000,000	17,500,000	17,500,000	17,500,000	18,000,000	18,000,000	18,000,000	18,500,000
	Subtotal-Projects	16,950,000	17,450,000	17,450,000	17,950,000	17,950,000	17,950,000	18,450,000	18,450,000	18,450,000	18,950,000
	TOTAL USE OF FUNDS	\$ 17,742,222	\$ 18,242,122	\$ 18,244,158	\$ 18,744,158	\$ 18,744,158	\$ 18,746,296	\$ 19,246,296	\$ 19,246,296	\$ 19,248,541	\$ 19,748,541
700	FUND BALANCE, End	\$ 2,816,372	\$ 2,753,271	\$ 2,869,451	\$ 2,668,759	\$ 2,653,027	\$ 2,821,967	\$ 2,679,585	\$ 2,727,768	\$ 2,966,176	\$ 2,898,979

	DESCRIPTION	2053 71	2054 72	2055 73	2056 74	2057 75	2058 76	2059 77	2060 78	2061 79	2062 80
1	"Taxable Increment"	\$ 818,783,466	\$ 826,971,300	\$ 835,241,013	\$ 843,593,423	\$ 852,029,358	\$ 860,549,651	\$ 869,155,148	\$ 877,846,699	\$ 886,625,166	\$ 895,491,418
1	FUND BALANCE, Begin	\$ 2,898,979	\$ 2,528,120	\$ 2,853,207	\$ 2,878,580	\$ 3,106,241	\$ 2,535,738	\$ 2,671,590	\$ 3,015,858	\$ 3,068,031	\$ 2,832,810
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 2,898,979	\$ 2,528,120	\$ 2,853,207	\$ 2,878,580	\$ 3,106,241	\$ 2,535,738	\$ 2,671,590	\$ 3,015,858	\$ 3,068,031	\$ 2,832,810
SOURCES OF FUNDS:											
4	Tax Revenues	20,133,688	20,335,010	20,538,346	20,743,715	20,951,137	21,160,634	21,372,225	21,585,933	21,801,778	22,019,781
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(302,005)	(305,025)	(308,075)	(311,156)	(314,267)	(317,410)	(320,583)	(323,789)	(327,027)	(330,297)
8	Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10	Grant Funds	-	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	-	-	-	-	-	-	-	-	-
15	Sale of land	-	-	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 19,877,683	\$ 20,075,985	\$ 20,276,271	\$ 20,478,559	\$ 20,682,870	\$ 20,889,224	\$ 21,097,642	\$ 21,308,144	\$ 21,520,751	\$ 21,735,484
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 22,776,661	\$ 22,604,105	\$ 23,129,478	\$ 23,357,139	\$ 23,789,111	\$ 23,424,963	\$ 23,769,231	\$ 24,324,002	\$ 24,588,782	\$ 24,568,294
USE OF FUNDS:											
DEBT SERVICE											
27	2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29	Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30	Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31	Debt Service - 2013 Issue {\$25.260 mil}	-	-	-	-	-	-	-	-	-	-
32	Debt Service - 2018 Issue {\$22 mil}	-	-	-	-	-	-	-	-	-	-
35	Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40	Subtotal-Debt Service	-	-	-	-	-	-	-	-	-	-
OPERATING EXPENDITURES											
50	Prof Svcs/Proj Mgmt	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
56	Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	47,141	49,498	49,498	49,498	51,973	51,973	51,973	54,572	54,572	54,572
65	Subtotal-Operating Expenditures	798,541	800,898	800,898	800,898	803,373	803,373	803,373	805,972	805,972	805,972
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 798,541	\$ 800,898	\$ 800,898	\$ 800,898	\$ 803,373	\$ 803,373	\$ 803,373	\$ 805,972	\$ 805,972	\$ 805,972
80	Funds Available for Projects	\$ 21,978,120	\$ 21,803,207	\$ 22,328,580	\$ 22,556,241	\$ 22,985,738	\$ 22,621,590	\$ 22,965,858	\$ 23,518,031	\$ 23,782,810	\$ 23,762,322
PROJECTS											
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350	Research Parkway/Outer Loop	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	19,000,000	18,500,000	19,000,000	19,000,000	20,000,000	19,500,000	19,500,000	20,000,000	20,500,000	23,036,057
	Subtotal-Projects	19,450,000	18,950,000	19,450,000	19,450,000	20,450,000	19,950,000	19,950,000	20,450,000	20,950,000	23,486,057
TOTAL USE OF FUNDS											
700	FUND BALANCE, End	\$ 2,528,120	\$ 2,853,207	\$ 2,878,580	\$ 3,106,241	\$ 2,535,738	\$ 2,671,590	\$ 3,015,858	\$ 3,068,031	\$ 2,832,810	\$ 276,265

TIF Reinvestment Zone #1
Summary Financing Plan with Detailed Project Plan

Project Plan - 12/06/17 - to Zone Board

\$ 22,000,000
Bond Proceeds

SUMMARY FINANCING PLAN					
	2018	2019	2020	2021	2022
1 Beginning Available Fund Balance, Oct 1	\$ 20,539,893	\$ 2,108,195	\$ 7,790,064	\$ 4,542,317	\$ 6,144,385
20 Total Sources of Funds	41,489,685	16,990,273	16,415,960	15,787,729	15,657,049
2 Adjustments to Debt Service Reserve		-	-	-	-
25 Net Available for Appropriation	62,029,578	19,098,468	24,206,024	20,330,046	21,801,434
50/52 General Administrative Expenditures	253,754	176,300	176,300	176,300	176,400
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000
56 Rail Maintenance	112,100	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	200,000	100,000	100,000	100,000	100,000
60 Contractual Payments (TEDC - Marketing)	200,000	200,000	200,000	200,000	200,000
62 TISD-Reimbursement [per contract]	27,563	27,563	27,563	28,941	28,941
27 Debt Service - 2009 Issue {Refunding}	1,488,750	1,485,000	-	-	-
28 Debt Service - 2008 Taxable Issue {\$10.365 mil}	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29 Debt Service - 2011A Issue {Refunding}	908,350	915,950	2,497,800	2,497,550	2,494,950
30 Debt Service - 2012 Issue {Refunding}	79,600	77,650	80,050	77,250	78,750
31 Debt Service - 2013 Issue {\$25.260 mil}	2,047,694	2,048,344	2,047,944	2,046,494	2,031,494
32 Debt Service - 2018 Issue {\$22 mil}	-	1,666,724	1,664,606	1,435,756	1,383,056
33 Paying Agent Services	1,700	1,700	1,700	1,700	1,700
70 Total Debt & Operating Expenditures	6,891,468	8,370,404	8,463,707	8,235,661	8,167,713
80 Funds Available for Projects	\$ 55,138,111	\$ 10,728,064	\$ 15,742,317	\$ 12,094,385	\$ 13,633,721

PROJECT PLAN					
	2018	2019	2020	2021	2022
TEMPLE INDUSTRIAL PARK:					
101 Receiving & Delivery {R&D} Tracks	21,920	-	-	-	-
101 Receiving & Delivery {R&D} Tracks {bond funded}	400,000	-	-	-	-
102 North Lucius McCelvey Extension	-	-	-	-	-
108 31st Street Sidewalks Grant Match	-	-	-	-	-
150 Total North Zone/Rail Park (including Enterprise Park)	421,920	-	-	-	-
CORPORATE CAMPUS PARK:					
155 Pepper Creek Trail Hwy 36 to McLane Parkway	157,813	-	-	-	-
200 Total Corporate Campus Park	157,813	-	-	-	-
BIOSCIENCE PARK/CROSSROADS PARK:					
207 Cross Roads Park @ Pepper Creek Trail	3,191,551	-	-	-	-
250 Total Bio-Science Park	3,191,551	-	-	-	-
RESEARCH PARKWAY/OUTER LOOP					
305 Research Pkwy (IH 35 to Wendland Ultimate) STAG grant {Little Elm Sewer}	2,200,000	-	-	-	-
305 Research Pkwy (IH 35 to Wendland Ultimate)	1,224,909	-	-	-	-
305 Research Pkwy (IH 35 to Wendland Ultimate) {bond funded}	14,650,000	-	-	-	-
310 Research Pkwy (Wendland to McLane Pkwy)	1,010,016	-	-	-	-
315 Research Pkwy (McLane Pkwy to Central Point Pkwy)	398,344	-	-	-	-
320 Outer Loop (I35 South)	394,150	-	10,750,000	-	-
320 Outer Loop (I35 South) {bond funded}	3,100,000	-	-	-	-
321 East Outer Loop	906,600	-	-	-	-
350 Total Research Parkway	23,884,019	-	10,750,000	-	-
SYNERGY PARK:					
351 Lorraine Drive (Southeast Industrial Park) - [\$1.5M total project cost]	-	-	-	-	-
352 Entry Enhancement	46,846	-	-	-	-
400 Total Synergy Park	46,846	-	-	-	-
DOWNTOWN:					
401 Downtown Improvements {Transformation Team}	497,051	450,000	450,000	450,000	450,000
402 Santa Fe Plaza	7,105,977	-	-	-	-
403 Intersection Improvements at Central & North 4th Street	-	-	-	-	-
404 Santa Fe Market	3,764,084	-	-	-	-
405 TISD-Obligation per Contract	5,000,000	-	-	-	-
406 1st Street (Avenue B to Central Avenue) and Avenue A (North 3rd to South 2nd)	296,000	-	-	-	-
407 North 31st Street (Nugent to Central) Concept Design	212,000	-	-	-	-
408 Strategic Investment Zone - Grants	425,000	-	-	-	-
450 Total Downtown	17,300,112	450,000	450,000	450,000	450,000
TMED:					
458 Loop 363 Frontage Rd (UPRR to 5th TIRZ portion)	182,935	-	-	-	-
459 31st Street/Loop 363 Improvements	74,800	-	-	-	-
460 31st Street (Loop 363 to Avenue M) and Avenue R (31st to 25th Street) Concept Design	130,000	-	-	-	-
461 31st Street Monumentation {bond funded}	450,000	-	-	-	-
462 Ave U TMED Ave. to 1st Street	462,305	-	-	-	-
463 TMED Master Plan (Health Care Campus)	-	-	-	-	-
464 TMED Master Plan & Thoroughfare Plan	-	-	-	-	-
465 Friars Creek Trail Amphitheater	-	-	-	-	-
466 Veteran's Memorial Blvd. Phase II	569,602	2,488,000	-	-	-
467 1st Street @ Temple College Pedestrian Bridge	-	-	-	-	-
468 TMED South 1st Street	1,759,550	-	-	-	-
500 Total TMED	3,629,192	2,488,000	-	-	-
AIRPORT PARK:					
507 Taxiway for Airport	-	-	-	-	-
508 Corporate Hangar Phase II	-	-	-	-	-
510 Corporate Hangar Phase III	1,686,063	-	-	-	-
511 Draughon-Miller Regional Airport FBO Center & Parking Visioning	119,000	-	-	-	-
512 Corporate Hangar Phase IV {RAMP grant funded}	100,000	-	-	-	-
512 Corporate Hangar Phase IV (bond funded)	132,000	-	-	-	-
550 Total Airport Park	2,037,063	-	-	-	-
610 Public Improvements					
611 Public Improvements	-	-	-	5,500,000	7,000,000
612 Contingency {bond funded}	2,361,400	-	-	-	-
Total Public Improvements	2,361,400	-	-	5,500,000	7,000,000
Total Planned Project Expenditures	53,029,916	2,938,000	11,200,000	5,950,000	7,450,000
700 Available Fund Balance at Year End	\$ 2,108,195	\$ 7,790,064	\$ 4,542,317	\$ 6,144,385	\$ 6,183,721

FY 2018

Adjustments should be rounded to the nearest \$1.

TOTAL.....	\$ 425,000	\$ 425,000
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To reallocate funds as recommended by the Reinvestment Zone No. 1 Board at its 12.06.17 meeting and as approved on second reading by Council on 01.18.18.

☒ Yes ☐ No

1/18/2018

☒ Yes ☐ No

	Approved
	Disapproved

	Approved
	Disapproved

	Approved
	Disapproved

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AMENDMENT TO THE TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 1 FINANCING AND PROJECT PLANS TO APPROPRIATE ADDITIONAL FUNDING FOR TMED SOUTH 1ST STREET IN FISCAL YEAR 2018; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; DECLARING FINDINGS OF FACT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City Council (the "Council") of the City of Temple, Texas, (the "City") created Reinvestment Zone Number One, City of Temple, Texas (the "Zone") by Ordinance No. 1457 adopted on September 16, 1982;

Whereas, the Council adopted a Project Plan and Reinvestment Zone Financing Plan for the Zone by Ordinance No. 1525 adopted on December 22, 1983, and thereafter amended such plans by Ordinance No. 1664 adopted on June 20, 1985, Ordinance No. 1719 adopted on November 21, 1985, Ordinance No. 1888 adopted on December 21, 1987, Ordinance No. 1945 adopted on October 20, 1988; Ordinance No. 1961 adopted on December 1, 1988; Ordinance No. 2039 adopted on April 19, 1990; Ordinance No. 91-2119 adopted on December 5, 1991; Ordinance No. 92-2138 adopted on April 7, 1992; Ordinance No. 94-2260 adopted on March 3, 1994; Ordinance No. 95-2351 adopted on June 15, 1995; Ordinance No. 98-2542 adopted on February 5, 1998; Ordinance No. 98-2582 adopted on November 19, 1998; Ordinance No. 99-2619 adopted on March 18, 1999; Ordinance No. 99-2629 adopted on May 6, 1999; Ordinance No. 99-2631 adopted on May 20, 1999; Ordinance No. 99-2647 adopted on August 19, 1999; Ordinance No. 99-2678 adopted on December 16, 1999; Ordinance No. 2000-2682 adopted on January 6, 2000; Ordinance No. 2000-2729 adopted on October 19, 2000; Ordinance No. 2001-2772 adopted on June 7, 2001; Ordinance No. 2001-2782 adopted on July 19, 2001; Ordinance No. 2001-2793 adopted on September 20, 2001; Ordinance No. 2001-2807 on November 15, 2001; Ordinance No. 2001-2813 on December 20, 2001; Ordinance No. 2002-2833 on March 21, 2002; Ordinance No. 2002-2838 on April 18, 2002; Ordinance No. 2002-3847 on June 20, 2002; Ordinance No. 2002-3848 on June 20, 2002; Ordinance No. 2002-3868 on October 17, 2002; Ordinance No. 2003- 3888 on February 20, 2003; Ordinance No. 2003-3894 on April 17, 2003; Ordinance No 2003-3926 on September 18, 2003; Ordinance No. 2004-3695 on July 1, 2004; Ordinance No. 2004-3975 on August 19, 2004; Ordinance No. 2004-3981 on September 16, 2004; Ordinance No. 2005-4001 on May 5, 2005; Ordinance No. 2005-4038 on September 15, 2005; Ordinance No. 2006-4051 on January 5, 2006; Ordinance No. 2006-4076 on the 18th day of May, 2006; Ordinance No. 2006-4118; Ordinance No. 2007-4141 on the 19th day of April, 2007; Ordinance No. 2007-4155 on July 19, 2007; Ordinance No. 2007-4172 on the 20th day of September, 2007; Ordinance No. 2007-4173 on October 25, 2007; Ordinance No. 2008-4201 on the 21st day of February, 2008; and Ordinance No. 2008-4217 the 15th day of May, 2008; Ordinance No. 2008-4242 the 21st day of August, 2008; Ordinance No. 2009-4290 on the 16th day of April, 2009; Ordinance No. 2009-4294 on the 21st day of May, 2009; Ordinance No. 2009-4316 on the 17th day of September, 2009; Ordinance No. 2009-4320 on the 15th day of October, 2009; Ordinance No. 2010-4338 on the 18th day of February, 2010; Ordinance No. 2010-4373 on the 19th day of August, 2010; Ordinance No. 2010-4405 on November 4, 2010; Ordinance No. 2011-4429 on March 17, 2011; Ordinance No. 2011-4455 on July 21, 2011;

Ordinance No. 2011-4477 on October 20, 2011; Ordinance No. 2012-4540 on June 21, 2012; and Ordinance No. 2012-4546 on July 19, 2012; Ordinance No. 2012-4554 on September 20, 2012; Ordinance No. 2012-4566 on November 15, 2012; Ordinance No. 2013-4595 on June 20, 2013; Ordinance No. 2014-4665 on May 15, 2014; Ordinance No. 2014-4676 on July 17, 2014; Ordinance No. 2014-4683 on September 18, 2014; Ordinance No. 2014-4695 on December 18, 2014; Ordinance No. 2015-4705 on April 16, 2015; Ordinance No. 2015-4734 on October 17, 2015; Ordinance No. 2016-4789 on July 21, 2016; Ordinance No. 2016-4809 on October 20, 2016; Ordinance No. 2017-4838 on April 20, 2017; Ordinance No. 2017-4851 on July 20, 2017; Ordinance No. 2017-4871 on October 19, 2017; Ordinance No. 2017-4881 on November 2, 2017; Ordinance No. 2018-XXXX on January 18, 2018;

Whereas, the Board of Directors of the Zone has adopted an additional amendment to the Reinvestment Zone Financing and Project Plans for the Zone and forwarded such amendment to the Council for appropriate action;

Whereas, the Council finds it necessary to amend the Reinvestment Zone Financing and Project Plans for the Zone to include financial information as hereinafter set forth;

Whereas, the Council finds that such amendment to the Reinvestment Zone Financing and Project Plans is feasible and conforms to the Comprehensive Plan of the City, and that this action will promote economic development within the City of Temple; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS THAT:

Part 1: Findings. The statements contained in the preamble of this Ordinance are true and correct and are adopted as findings of fact hereby.

Part 2: Reinvestment Zone Financing and Project Plans. The amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans, heretofore adopted by the Board of Directors of the Zone and referred to in the preamble of this Ordinance, is hereby approved and adopted, as set forth in the Amendments to Reinvestment Zone Number 1, City of Temple, Texas, attached hereto as Exhibits A and B.

Part 3: Plans Effective. The Financing Plan and Project Plans for the Zone heretofore in effect shall remain in full force and effect according to the terms and provisions thereof, except as specifically amended hereby.

Part 4: Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid phrase, clause, sentence, paragraph or section.

Part 5: Effective Date. This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act.

PASSED AND APPROVED on First Reading and Public Hearing on the 7th day of **December**, 2017.

PASSED AND APPROVED on Second Reading on the 18th day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #8(V)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: SECOND READING: Consider adopting an ordinance designating a tract of land consisting of approximately 21.193 acres and located at 2114 Trino Road in Temple, as City of Temple Tax Abatement Reinvestment Zone Number 36 for commercial/industrial tax abatement.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description on second and final reading.

ITEM SUMMARY: The proposed ordinance designates a tract of land consisting of approximately 21.193 acres and described as Lot 1, Block 1, Temple Industrial Park, Section 26, as Tax Abatement Reinvestment Zone Number 36 for commercial/industrial tax abatement. The property is located at 2114 Trino Road in Temple. The property tax identification number for the property is 111881.

The designation of a tax abatement reinvestment zone lasts for five years and is a prerequisite for entering into a tax abatement agreement with a future economic development prospect. We anticipate bringing a tax abatement agreement for proposed improvements to the property for Council's consideration at the January 18, 2017 meeting.

FISCAL IMPACT: None at this time.

ATTACHMENTS:

[Map](#)
[Ordinance](#)



Address: 2114 Trino Rd

Property ID: 111881



DISCLAIMER:
GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, DESIGNATING A TRACT OF LAND CONSISTING OF APPROXIMATELY 21.193 ACRES AND LOCATED AT 2114 TRINO ROAD, TEMPLE, TEXAS, AS CITY OF TEMPLE TAX ABATEMENT REINVESTMENT ZONE NUMBER THIRTY-SIX FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City Council of the City of Temple, Texas (“City”), desires to promote the development or redevelopment of a certain geographic area within its jurisdiction by creation of a reinvestment zone for commercial/industrial tax abatement, as authorized by Chapter 312 of the Texas Tax Code;

Whereas, the City held a public hearing as required, after publishing notice of such public hearing, and giving written notice to all taxing units overlapping the territory inside the proposed reinvestment zone;

Whereas, the City at such hearing invited any interested person, or his attorney, to appear and contend for or against the creation of the reinvestment zone, the boundaries of the proposed reinvestment zone, whether all or part of the territory described in the Ordinance calling such public hearing should be included in such proposed reinvestment zone, and the concept of tax abatement;

Whereas, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone, and opponents of the reinvestment zone appeared to contest creation of the reinvestment zone; and

Whereas, Staff recommends designating a tract of land consisting of approximately 21.193 acres, and described as Lot 1, Block 1, Temple Industrial Park, Section 26, otherwise identified generally as 2114 Trino Road and identified in the property tax rolls by Property Identification number 111881, as Tax Abatement Reinvestment Zone Number 36 for commercial/industrial tax abatement in order to promote economic development in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: The City, after conducting such hearings and having heard such evidence and testimony has made the following findings and determinations based on the testimony presented to it:

A. That a public hearing on the adoption of the reinvestment zone has been properly called, held and conducted and that notices of such hearings have been published as required by law and mailed to all taxing units overlapping the territory inside the proposed reinvestment zone;

B. That the boundaries of the reinvestment zone (hereinafter "REINVESTMENT ZONE NUMBER THIRTY-SIX") should be approximately 21.193 acres and located at 2114 Trino Road, Temple, Bell County, Texas, as described in the drawing attached as Exhibit "A."

C. That creation of REINVESTMENT ZONE NUMBER THIRTY-SIX will result in benefits to the City and to the land included in the zone after the term of any agreement executed hereunder, and the improvements sought are feasible and practical.

D. That REINVESTMENT ZONE NUMBER THIRTY-SIX meets the criteria for the creation of a reinvestment zone as set forth in Section 312.202 of the Code in that it is "reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City."

E. That REINVESTMENT ZONE NUMBER THIRTY-SIX meets the criteria for the creation of a reinvestment zone as set forth in the City of Temple Guidelines and Criteria for granting tax abatement in reinvestment zones.

Part 3: Pursuant to Section 312.201 of the Code, the City hereby creates a reinvestment zone for commercial/industrial tax abatement encompassing approximately 21.193 acres and located at 2114 Trino Road, Temple, Texas, described by the drawing in Exhibit "A," attached hereto and such REINVESTMENT ZONE is hereby designated and shall hereafter be officially designated as TAX ABATEMENT REINVESTMENT ZONE NUMBER THIRTY-SIX, City of Temple, Texas.

Part 4: The REINVESTMENT ZONE shall take effect on **January 18, 2018.**

Part 5: To be considered for execution of an agreement for tax abatement the commercial/industrial project shall:

A. Be located wholly within the Zone as established herein;

B. Not include property that is owned or leased by a member of the City Council of the City of Temple, Texas, or by a member of the Planning and Zoning Commission;

C. Conform to the requirements of the City's Zoning Ordinance, the CRITERIA governing tax abatement previously adopted by the City, and all other applicable laws and regulations; and

D. Have and maintain all land located within the designated zone, appraised at market value for tax purposes.

Part 6: Written agreements with property owners located within the zone shall provide identical terms regarding duration of exemption and share of taxable real property value exempted from taxation.

Part 7: Written agreements for tax abatement as provided for by Section 312.205 of the Code shall include provisions for:

A. Listing the kind, number and location of all proposed improvements of the property;

B. Access to and inspection of property by municipal employees to ensure that the improvements or repairs are made according to the specification and conditions of the agreements;

C. Limiting the use of the property consistent with the general purpose of encouraging development or redevelopment of the zone during the period that property tax exemptions are in effect; and

D. Recapturing property tax revenue lost as a result of the agreement if the owner of the property fails to make the improvements as provided by the agreement.

Part 8: Severance clause. If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Part 9: Effective date. This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 10: Sunset provision. The designation of TAX ABATEMENT REINVESTMENT ZONE NUMBER THIRTY-SIX shall expire five years from the effective date of this Ordinance. The designation of a tax abatement reinvestment zone may be renewed for periods not exceeding five years. The expiration of a reinvestment zone designation does not affect an existing tax abatement agreement authorized by the City Council.

Part 11: Open Meeting Act. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act.

PASSED AND APPROVED on First Reading on the **7th** day of **December**, 2017.

PASSED AND APPROVED on Second and Final Reading and Public Hearing on the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #8(W)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Director of Parks & Recreation
Belinda Mattke, Director of Purchasing & Facility Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing the rejection of the bid received for the Summit Recreation Center Vestibule Construction on November 16, 2017.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On November 16, 2017, the City received one bid in the amount of \$44,177 from Wilson Construction Services, LLC for the construction of a vestibule at the south entrance of the Summit Recreation Center. The one bid received exceeded the appropriated budget of \$29,550 that was included in the adopted FY2018 Budget. As such, staff would like to take time to reevaluate the project.

Per the Local Government Code §252.043(f), the governing body is the designated authority to reject any and all bids.

FISCAL IMPACT: There is no fiscal impact related to this item. As stated above, the one bid received exceeded the appropriated project budget of \$29,550 included in account 110-5932-551-6310, project 101548.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, REJECTING THE BID RECEIVED ON NOVEMBER 16, 2017 FOR THE SUMMIT RECREATION CENTER VESTIBULE CONSTRUCTION PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on November 16, 2017, the City received one bid in the amount of \$44,177 from Wilson Construction Services, LLC for the construction of a vestibule at the south entrance of the Summit Recreation Center;

Whereas, the one bid received exceeded the appropriated budget of \$29,550 that was included in the adopted fiscal year 2018 budget, and as such, Staff would like to take time to reevaluate the project;

Whereas, per the Local Government Code §252.043(f), the governing body is the designated authority to reject any and all bids; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council rejects the bid received from Wilson Construction Services, LLC for the Summit Recreation Center Vestibule Construction project on November 16, 2017.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 18th day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #8(X)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Shannon Gowan, Director of Communications

ITEM DESCRIPTION: Consider adopting a resolution authorizing the submission of an application for funding from the National Recreational Trails Fund through Texas Parks and Wildlife under the approval of the Federal Highway Administration, in the amount of \$250,000, with \$200,000 reimbursed to the City through federal funding, to extend and enhance Friar's Creek Trail to the north, and ultimately connect to 5th Street.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: TPWD administers the National Recreational Trails Fund in Texas under the approval of the Federal Highway Administration (FHWA). This federally funded program receives its funding from a portion of federal gas taxes paid on fuel used in non-highway recreational vehicles. The reimbursable grants can be up to 80% of project cost with a maximum of \$200,000 for non-motorized trail grants. Funds can be spent on both motorized and non-motorized recreational trail projects such as the construction of new recreational trails, to improve existing trails, to develop trailheads or trailside facilities, and to acquire trail corridors.

Staff is recommending that we submit a Friar's Creek Trail extension project to the north, to ultimately connect to 5th Street, for consideration with a total estimated project cost not to exceed \$250,000 and a City match not to exceed \$50,000 (20%).

Staff believes the proposed project achieves the following:

- Continues the Trails Master Plan vision for connectivity between the existing Friar's Creek Trail, TMED and the other existing section of the Friar's Creek Trail north of Loop 363
- Accomplishes the Strategic Plan areas of focus:
 - Grow the Transportation Infrastructure: Offer a variety of choice in modes of transit – develop new pedestrian and bicycle amenities throughout the city
 - Grow community enhancements: Enhanced image and identity for Temple
 - public beautification efforts along Temple's major corridors
 - Invest in parks and facilitates that enhance community wellness, quality of place, and community amenities
- Vision for multi-modal transportation (bicycle and pedestrian)

The project scope includes the following:

- Proposed extension of the existing Friar's Creek Trail is an estimated 1,622 ft. long
- Construction of an 8' wide trail
- Landscaping (trees) and irrigation included
- Benches, trash cans, bike racks, dog waste stations and a water fountain included.
- Would implement the City's Trails Master Plan and extend trail system to connect with proposed TMED South development, including the Everest Rehabilitation Hospital and the northern section of the Friar's Creek Trail

If awarded the funding, this trail extension would provide a future opportunity to connect Friar's Creek to South 5th Street through private property, who indicated that he "looks forward to developing the property along Friars Creek and continuing to enhance our parks system".

FISCAL IMPACT: Total estimated project construction cost is not to exceed \$250,000. Program guidelines provide a maximum reimbursement of 80%, with the City providing a minimum cash match of 20%. If awarded the grant, \$200,000 (80%) will be reimbursed by the program with the city providing the remaining \$50,000 cash match (20%). Funding is available for the cash match in the amount \$50,000 in account 365-3400-531-6315, project 101804.

The grant guidelines only allow for the state's financial participation of a 6' wide trail. It is the City's desire to "oversize" and construct an 8' wide trail. The oversizing of the trail will be the City's responsibility and will cost approximately an additional \$24,000 in addition to the City's grant match.




ATTACHMENTS:

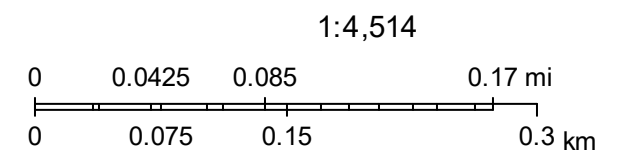
[Map of Friar's Creek Trail proposed extension](#)
[Resolution](#)

Proposed Friar's Creek Trail Expansion



1 / 11 / 2018 12 : 42 : 59 PM

-  Easement
-  Subdivision
-  Original Annexation Areas



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING FROM THE NATIONAL RECREATIONAL TRAILS FUND THROUGH TEXAS PARKS AND WILDLIFE UNDER THE APPROVAL OF THE FEDERAL HIGHWAY ADMINISTRATION TO EXTEND AND ENHANCE FRIAR'S CREEK TRAIL TO THE NORTH, AND ULTIMATELY CONNECT TO 5TH STREET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Texas Parks and Wildlife Department (TPWD) administers the National Recreational Trails Fund in Texas under the approval of the Federal Highway Administration (FHWA) and this federally funded program receives its funding from a portion of federal gas taxes paid on fuel used in non-highway recreational vehicles;

Whereas, the reimbursable grants can be up to 80% of project cost with a maximum of \$200,000 for non-motorized trail grants - funds can be spent on both motorized and non-motorized recreational trail projects such as the construction of new recreational trails, to improve existing trails, to develop trailheads or trailside facilities, and to acquire trail corridors;

Whereas, Staff recommends the submission of a Friar's Creek Trail extension project to the north, to ultimately connect to 5th Street, for consideration with a total estimated project cost not to exceed \$250,000, and a City match not to exceed \$50,000 (20%);

Whereas, Staff believes the proposed project achieves the following:

- Continues the Trails Master Plan vision for connectivity between the existing Friar's Creek Trail, TMED, and the other existing section of the Friar's Creek Trail, north of Loop 363;
- Accomplishes the Strategic Plan areas of focus:
 - Grow the Transportation Infrastructure: Offer a variety of choice in modes of transit – develop new pedestrian and bicycle amenities throughout the city;
 - Grow community enhancements: Enhanced image and identity for Temple;
 - public beautification efforts along Temple's major corridors;
 - Invest in parks and facilitates that enhance community wellness, quality of place, and community amenities;
- Vision for multi-modal transportation (bicycle and pedestrian);

Whereas, the project scope includes the following:

- Proposed extension of the existing Friar's Creek Trail which is an estimated 1,622 feet long;
- Construction of an 8-foot wide trail;
- Landscaping (trees) and irrigation;
- Implementation of the City's Trails Master Plan by extending the trail system to connect with the proposed TMED South development, including the Everest Rehabilitation Hospital and the northern section of the Friar's Creek Trail;

Whereas, if awarded the funding, this extension would provide a future opportunity to connect Friar's Creek to South 5th Street through private property;

Whereas, total estimated construction costs are not to exceed \$250,000 and program guidelines provide a maximum reimbursement of 80%, with the City providing a cash match of 20% - if awarded the grant, \$200,000 (80%) will be reimbursed by the program with the City providing the remaining \$50,000 cash match (20%) - funding is available for the cash match in Account No. 365-3400-531-6315, Project No. 101804; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the submission of an application for funding from the National Recreational Trails Fund through Texas Parks and Wildlife Department under the approval of the Federal Highway Administration, to extend and enhance Friar's Creek Trail to the north, and ultimately connect to 5th Street.

Part 3: The Interim City Manager, or her designee, after approval as to form by the City Attorney, is authorized to execute any documents which may be necessary to apply for this grant, accept funds from this grant, implement or renew this grant.

Part 4: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 18th day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #8(Y)
Consent Agenda
Page 1 of 1

DEPT. /DIVISION SUBMISSION & REVIEW:

Brynn Myers, Interim City Manager
Brian Kosel, Chief Building Official

ITEM DESCRIPTION: Consider adopting a resolution authorizing an updated building permit fee schedule for permits processed through the City of Temple Permits Office and authorizing the City Manager to establish an effective date for the updated schedule.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: As part of the FY 17 Budget, an additional Combination Building Inspector position was added to maintain timely plan review and inspection services in response to growth and increased development activities within the community. The ongoing cost associated with this additional Combination Building Inspector position was proposed to be recovered through an adjustment to the Building Permit Fee schedule.

Additionally, a restructure to the fee schedule is recommended to allow for on-line permit fee payment options to be implemented as part of the implementation of the new permit software system.

Staff recommends the fee adjustments become effective upon implementation of the new software system so that a major reprogramming of fees in the current system is not required. Because the exact implementation date of the software system is not known at this time, Staff is requesting the City Manager be authorized to establish the effective date.

FISCAL IMPACT: The revenue association with these adjustments depends on the number of permits for these types of projects issued each year.

ATTACHMENTS:

[Permit Fee Schedule](#)
[Resolution](#)



Permit Fee Schedule

New Single Family Residential & Duplex Construction

\$0.135 per square foot

This fee is calculated based on the total square footage under roof and includes permits for the structure, electrical, mechanical, plumbing, flatwork, certificate of occupancy, and plans review. This fee does not include permits for fences, storage buildings, accessory structures, lawn irrigation, or swimming pools.

New Commercial Construction

Building	\$35 base permit fee plus \$0.12 per square foot
Electrical	\$35 base permit fee plus \$0.12 per square foot
Mechanical	\$35 base permit fee plus \$0.12 per square foot
Plumbing	\$35 base permit fee plus \$0.12 per square foot
Plan Review Only	\$35 base permit fee plus \$0.12 per square foot

This category includes new townhouse, multi-family, & commercial construction including shell buildings, warehouses, and parking garages. This fee is calculated based on the total square footage under roof. This fee does not include permits for fences, storage buildings, accessory structures, lawn irrigation, or swimming pools.

Remodeling, Alterations, Additions, Repairs, and Finish-Out

Building	\$35 base permit fee plus \$4 per \$1,000 of job costs
Electrical	\$35 base permit fee plus \$4 per \$1,000 of job costs
Mechanical	\$35 base permit fee plus \$4 per \$1,000 of job costs
Plumbing	\$35 base permit fee plus \$4 per \$1,000 of job costs
Plan Review Only	\$35 base permit fee plus \$4 per \$1,000 of job costs

This category includes flatwork, concrete work, paving, curb-cuts, signs, roofing, gas tanks/pumps, storage buildings, patio covers, modular/portable buildings, accessory structures, and carports.

Fences

\$35 base permit fee plus \$2 per \$1,000 of job costs

Lawn Irrigation

\$60 base permit fee plus \$4 per \$1,000 of job costs

Swimming Pools

\$35 base permit fee plus \$2 per \$1,000 of job costs

Miscellaneous

Annual Contractor Registration	\$80 annually
Water Service Inspection Fee- Outside City Limits	\$50
Demolition	\$50
House Moving	\$100 plus \$1,000 bond required
Irrigation Tap Administration Fee	\$60
Manufactured Home Set-Up	\$100
Re-inspection Fee (paid in person after 3rd time)	\$50
Sewer Tap Administration Fee	\$60
Temporary Pole	\$35
Temporary Use Permit Fee	\$35
Tower- New or Modification	\$35 plus \$4 per \$1,000 of job costs
Water Tap Administration Fee	\$60
Working Without a Permit	\$50 plus doubling of permit fees
Any Other Permit Required	\$50.00

Deposit- Wrecking Bond

Building not to exceed 5,000 sq. ft.	\$500
5,001 – 100,000 sq. ft.	\$1,500
100,001 sq. ft. or greater	\$5,000

This deposit is non-refundable after 6 months.

Fire Permit Fees

Above Ground Tank Install	\$105
Above Ground Tank Removal	\$60
Blasting Permit (one time)	\$100
Blasting Permit (annual)	\$1,030
Boarding Home	\$55
Burning	\$105
Day Care	\$45
Day Home	\$15
Family Care	\$25
Fire Alarm Installation	\$105
Fireworks	\$250
Foster Homes	\$40
Fuel Dispenser Replacement	\$80
Fuel Tank Installation	\$105
Fuel Tank Removal	\$60
Hauling or Transporting LPG	\$55
Hauling or Transporting Flammable or Combustible Liquid	\$50
Hospital	\$300
LPG Tank Hauling/Transport	\$55
LPG Tank Installation	\$55
New Fire Alarm Installation	\$105
Nursing Homes	\$65
Other New Suppression Systems	\$80
Public Displays Inside Malls	\$100
Smoke Control Systems	\$50

Sprinkler Installations	\$130
Sprinkler Installations with Fire Pump	\$180
Sprinkler Test Remodel	\$105
Standpipe Systems	\$105
Suppression System	\$80
Underground Installations	\$105
Underground Tank Install	\$105
Underground Tank Removal	\$60
Water Line Installation	\$105
Welding Permit	\$80

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, UPDATING THE BUILDING PERMIT FEE SCHEDULE FOR PERMITS PROCESSED THROUGH THE CITY OF TEMPLE PERMITS OFFICE; AUTHORIZING THE CITY MANAGER TO ESTABLISH AN EFFECTIVE DATE FOR THE UPDATED SCHEDULE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, as part of the fiscal year 2017 budget, an additional Combination Building Inspector position was added to maintain timely plan review and inspection services in response to growth and increased development activities within the community;

Whereas, the ongoing costs associated with this additional position was proposed to be recovered through an adjustment to the Building Permit Fee schedule;

Whereas, additionally, a restructure to the fee schedule is recommended to allow for on-line permit fee payment options to be implemented as part of the implementation of the new permit software system;

Whereas, Staff recommends Council authorize an adjustment to the building fee schedule effective upon implementation of the new software system so that a major reprogramming of fees in the current system is not required;

Whereas, because the exact implementation date of the software system is not known at this time, Staff is requesting the City Manager be authorized to establish the effective date;

Whereas, the revenue associated with these adjustments depends on the number of permits for these types of projects issued each year; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council adopts an updated building permit fee schedule, attached hereto as Exhibit A and incorporated herein for all purposes, for permits processed through the City of Temple Permits Office and authorizes the City Manager to establish an effective date for the updated schedule.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
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Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Brian Chandler, Planning Director

ITEM DESCRIPTION: Consider adopting a resolution accepting the dedication of a 1.347 acre tract, currently operating as a private street known as Westgate Drive, to the City of Temple for use as public right of way and designating the right of way as Midtown Lane.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Westgate Drive is currently a privately owned street which runs north to south between West Adams Avenue and Airport Road. The road consists of 1.347 acres as shown in the attached survey. The owner of the street and surrounding property, McLane Temple Properties, LLC has requested the City accept the dedication of the road as public right of way and designate the public road as Midtown Lane. If accepted, Midtown Lane will be classified as a Local street under the Unified Development Code.

Staff recommends approval of the dedication and designation of the road as Midtown Lane.

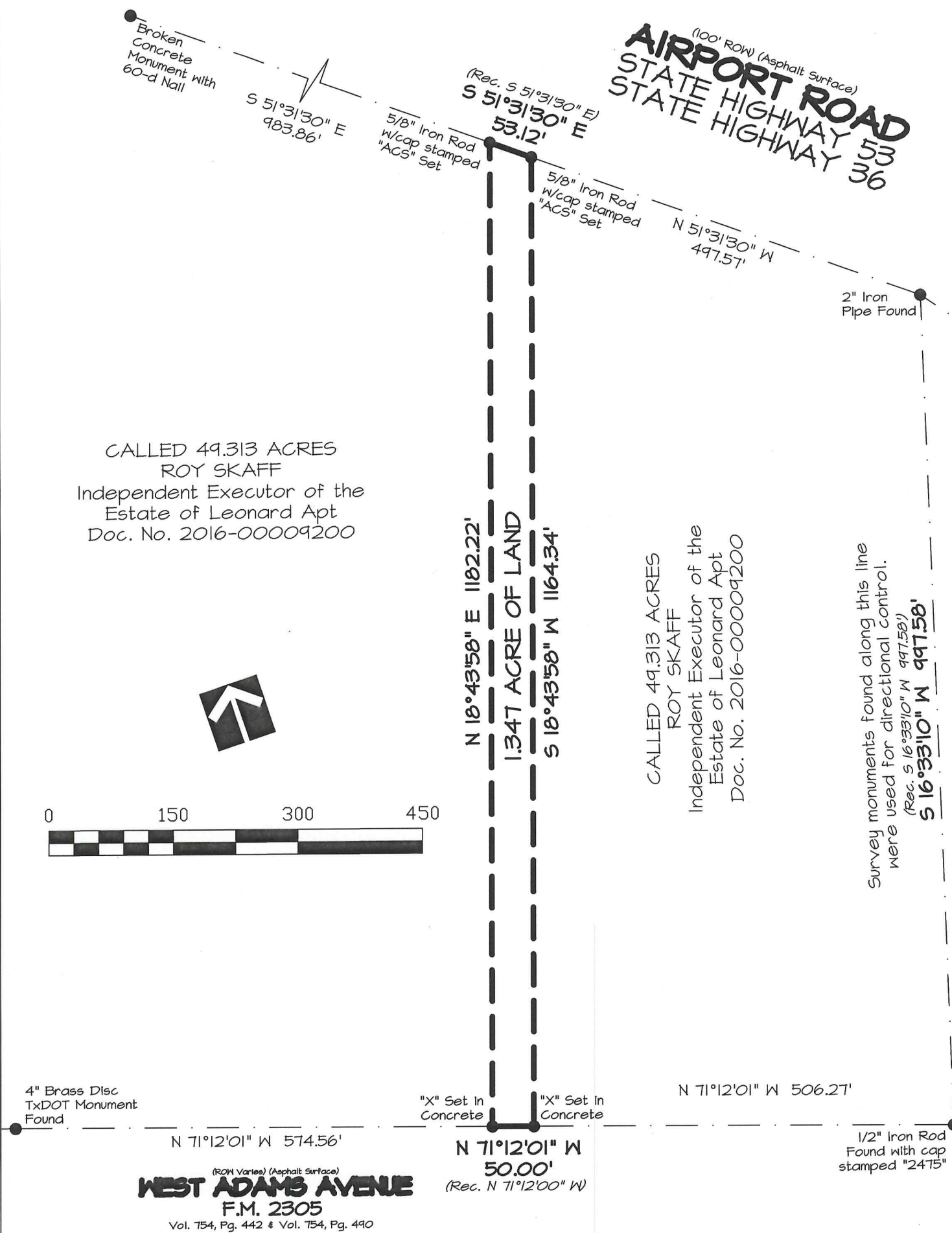
FISCAL IMPACT: The City will be responsible for future maintenance of the property

ATTACHMENTS:

[Survey](#)
[Resolution](#)

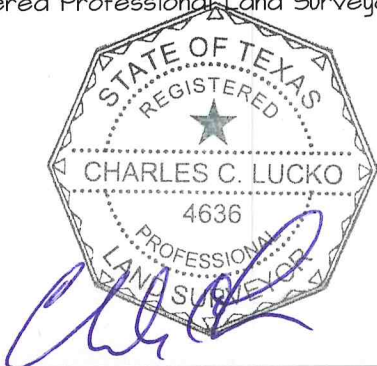
1.347 ACRES, situated in the C. S. MASTERS SURVEY, ABSTRACT 550, Bell County, Texas, embracing a portion of a called 49.313 Acre tract conveyed to ROY SKAFF, Independent Executor of the Estate of Leonard Apt, in Document No. 2016-00009200, Official Public Records of Real Property, Bell County, Texas.

This sketch to accompany a metes and bounds description of the hereon shown 1.347 Acre tract.



This sketch represents a survey made on the ground. This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

ACS
ALL COUNTY SURVEYING, INC.
1303 South 21st Street
Temple, Texas 76504
254-778-2272 Killeen 254-634-4636
Fax 254-774-7608
Tx. Firm Lic. No. 10023600



Survey completed: 10-22-2016
Scale: 1" = 150'
Job No.: 160907
Dwg No.: 160907.2
Drawn by: SLW
Surveyor: CCL # 4636
Copyright 2017 All County Surveying, Inc.

Plot Date: 01-10-2017

FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

January 10, 2017

Surveyor's Field Notes for:

1.347 ACRES, situated in the **C. S. MASTERS SURVEY, ABSTRACT 550**, Bell County, Texas, embracing a portion of a called 49.313 Acre tract conveyed to Roy Skaff, as the Independent Executor of the Estate of Leonard Apt, in Document No. 2016-00009200, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as follows:

BEGINNING at an "X" set in concrete on the north line of West Adams Avenue, also known as F. M. 2305, as conveyed to the State of Texas in Volume 754, Page 442 and Volume 754, Page 490, Deed Records of Bell County, Texas, same being the south line of said 49.313 Acre tract, which said "X" bears N 71° 12' 01" W – 506.27' from a ½" iron rod found at the southeast corner of said 49.313 Acre tract, for the southeast corner of the herein described tract;

THENCE, in a westerly direction, with the north line of said West Adams Avenue, **N 71° 12' 01" W – 50.00'** (Rec. N 71° 12' 00" W), to an "X" set in concrete, which bears S 71° 12' 01" E – 569.55' from a 4" brass disc Texas Department of Transportation (TxDOT) monument found, said iron rod set being the southwest corner of the herein described tract;

THENCE, in a northerly direction, severing said 49.313 Acre tract, **N 18° 43' 58" E – 1182.22'**, to a 5/8" iron rod with cap stamped "ACS" set on the north line of said 49.313 Acre tract, same being the south line of Airport Road, also known as State Highway 53 and State Highway 36, which said iron rod set bears S 51° 31' 30" E – 983.86' from a broken concrete monument with 60-d nail found, for the northwest corner of the herein described tract;

THENCE, in an easterly direction, with the south line of said Airport Road, **S 51° 31' 30" E – 53.12'** (Rec. S 51° 31' 30" E), to a 5/8" iron rod with cap stamped "ACS" set, which bears N 51° 31' 30" W – 497.57' from a 2" iron pipe found at the northeast corner of said 49.313 Acre tract, for the northeast corner of the herein described tract;

THENCE, in a southerly direction, **S 18° 43' 58" W – 1164.34'**, to the **POINT OF BEGINNING** and containing 1.347 Acres of Land.

Survey monuments found along the east line of said 49.313 Acre tract were used for directional control.

This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

This metes and bounds description to accompany a Surveyor's Sketch of the herein described 1.347 Acre tract.

Surveyed December 22, 2016

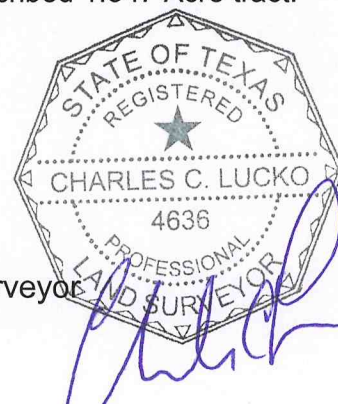
ALL COUNTY SURVEYING, INC.

1-800-749-PLAT

Tx. Firm Lic. No. 10023600

server/projects/pro160000/160900/160907/160907.2.doc

Charles C. Lucko
Registered Professional Land Surveyor
Registration No. 4636



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ACCEPTING THE DEDICATION OF AN APPROXIMATELY 1.347 ACRE TRACT, CURRENTLY OPERATING AS A PRIVATE STREET KNOWN AS WESTGATE DRIVE, TO THE CITY OF TEMPLE FOR USE AS PUBLIC RIGHT OF WAY; DESIGNATING THE RIGHT OF WAY AS MIDTOWN LANE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Westgate Drive is currently a privately-owned street which runs north to south between West Adams Avenue and Airport Road;

Whereas, the road consists of approximately 1.347 acres and the owner of the street and surrounding property, McLane Temple Properties, LLC, has requested the City accept the dedication of the road as public right of way and designate the public road as Midtown Lane;

Whereas, Staff recommends Council approve the dedication and designate the road as Midtown Lane and if approved, Midtown Lane will be classified as a Local street under the Unified Development Code;

Whereas, the City will be responsible for all future maintenance of this property; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council accepts the dedication of an approximately 1.347 acre tract, currently operating as a private street known as Westgate Drive, to the City of Temple for use as public right of way; designating the right of way as Midtown Lane.

Part 3: The City Council authorizes the Interim City Manager or her designee, after approval as to form by the City Attorney, to execute any documents that may be associated with the acceptance of this dedication or the designation of this tract as Midtown Lane.

Part 4: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing budget amendments for fiscal year 2017-2018.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item is to recommend various budget amendments, based on the adopted FY 2017-2018 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

FISCAL IMPACT: The total amount of budget amendments is \$21,496,960.

ATTACHMENTS:

[Budget Amendments](#)
[Resolution](#)

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
January 18, 2018

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-1800-525-2212		Capital < \$5,000 / Office Machines	\$ 104	
110-0000-452-0455		Administrative Fees / Technology Fee		\$ 104
To appropriate Court Technology fees for the purchase of a Philips Voice Tracer 6010 Digital Recorder to record parking enforcement hearings.				
110-xxx-5xx-6212	101811	Capital < \$5,000 / Office Machines - Copiers	\$ 256,136	
110-0000-490-1070		Lease Proceeds / Other Financing		\$ 256,136
520-5000-535-6212	101811	Capital < \$5,000 / Office Machines - Copiers	\$ 5,240	
520-5100-535-6212	101811	Capital < \$5,000 / Office Machines - Copiers	\$ 5,884	
520-5600-535-6212	101811	Capital < \$5,000 / Office Machines - Copiers	\$ 1,593	
520-5200-535-6212	101811	Capital < \$5,000 / Office Machines - Copiers	\$ 3,248	
520-5400-535-6212	101811	Capital < \$5,000 / Office Machines - Copiers	\$ 3,248	
520-5800-535-6212	101811	Capital < \$5,000 / Office Machines - Copiers	\$ 7,336	
520-1300-535-6212	101811	Capital < \$5,000 / Office Machines - Copiers	\$ 1,667	
520-0000-373-0412		Reserved for Lease Proceeds		\$ 28,216
240-4400-551-6212	101811	Capital < \$5,000 / Office Machines - Copiers	\$ 6,234	
240-4600-551-6212	101811	Capital < \$5,000 / Office Machines - Copiers	\$ 1,303	
240-7000-551-6212	101811	Capital < \$5,000 / Office Machines - Copiers	\$ 5,808	
240-0000-490-1070		Lease Proceeds / Other Financing		\$ 13,345
To appropriate lease proceeds and the associated capital expenditures related to the lease for the copiers.				
110-5700-580-7122		Capital Lease - Principal	\$ 62,657	
110-5700-580-7224		Capital Lease - Interest	\$ 4,991	
110-xxxx-5xx-2511		Other Services / Printing/Publication		\$ 67,648
520-5700-580-7122		Capital Lease - Principal	\$ 6,903	
520-5700-580-7224		Capital Lease - Interest	\$ 550	
520-5000-535-2511		Other Services / Printing/Publication		\$ 1,384
520-5100-535-2511		Other Services / Printing/Publication		\$ 1,554
520-5600-535-2511		Other Services / Printing/Publication		\$ 421
520-5200-535-2511		Other Services / Printing/Publication		\$ 858
520-5400-535-2511		Other Services / Printing/Publication		\$ 858
520-5800-535-2511		Other Services / Printing/Publication		\$ 1,938
520-1300-515-2511		Other Services / Printing/Publication		\$ 440
240-5700-551-7122		Capital Lease - Principal	\$ 3,265	
240-5700-551-7224		Capital Lease - Interest	\$ 260	
240-4400-551-2511		Other Services / Printing/Publication		\$ 1,647
240-4600-551-2511		Other Services / Printing/Publication		\$ 344
240-7000-551-2511		Other Services / Printing/Publication		\$ 1,534
To reclassify the lease payments for the copiers from the operating accounts for principal and interest accounts for each respective fund for FY 2018.				
110-1200-515-1112		Salaries / Professional	\$ 1,640	
110-1200-515-1115		Salaries / Skilled	\$ 44	
110-0000-431-0261		State Grant / State Grant		\$ 1,684
To appropriate State reimbursement of personnel costs incurred for gathering and analyzing payroll and expenditure data for completion of the <i>In State Mutual Aid Reimbursement</i> request as it related to Hurricane Harvey.				

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
January 18, 2018

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-2700-515-2616		Contracted Services / Professional	\$ 5,581	
110-1000-511-2611		Contracted Services / Insurance & Bonds		\$ 134
110-1100-513-2611		Contracted Services / Insurance & Bonds		\$ 653
110-1200-515-2611		Contracted Services / Insurance & Bonds		\$ 922
110-1400-511-2611		Contracted Services / Insurance & Bonds		\$ 302
110-1600-512-2611		Contracted Services / Insurance & Bonds		\$ 605
110-1700-519-2611		Contracted Services / Insurance & Bonds		\$ 452
110-1800-525-2611		Contracted Services / Insurance & Bonds		\$ 530
110-1900-519-2611		Contracted Services / Insurance & Bonds		\$ 1,983
To reallocate budgeted funds for General Fund's portion of WebBen ACA Services and Discovery Benefits.				
260-6100-571-6532		Capital - Special Projects / Contingency	\$ 6,926	
260-6140-571-2695		Contracted Services / Neighborhood Revitalization	\$ 26,630	
260-0000-431-0131		Federal Grants / CDBG Federal Grant		\$ 33,556
To adjust the amounts carried forward for CDBG related to audit adjustments made in FY 2017.				
430-5700-580-7550		Operating Transfers Out / Refund Bond Escrow	\$ 20,297,618	
430-5700-580-7312		Amortization & Bond Issue / Bond Issuance Cost	\$ 128,287	
430-5700-580-7314		Amortization & Bond Issue / Bond Discount	\$ 120,242	
430-0000-490-1575		Bond Proceeds / Refunding Bonds		\$ 17,780,000
430-0000-490-1518		Bond Proceeds / Original Issue Premium		\$ 2,770,295
430-0000-354-0512		Unreserved Fund Balance / Debt Service	\$ 4,148	
To appropriate the 2017 General Obligation Refunding Bonds - Debt Service portion, transaction closed on December 20, 2017.				
561-5200-535-6907	101814	Capital - Bonds / Waterline Relocation - East Side of State Highway 317	\$ 17,800	
561-5000-535-6532		Capital - Bonds / Contingency		\$ 17,800
To appropriate funding for construction contract with Skyblue Utilities to relocate a 2" waterline on State Highway 317.				
110-3620-560-2515		Other Services / Dues & Subscriptions	\$ 5,100	
110-0000-446-3530		Other / Miscellaneous Airport Revenue		\$ 5,100
To appropriate anticipated reimbursements by AvFuel for monthly user license fee of \$425 with Total Aviation Services.				
110-2031-521-2516		Other Services / Judgments & Damages	\$ 3,405	
110-2032-521-2516		Other Services / Judgments & Damages	\$ 2,773	
110-0000-461-0554		Insurance Claims / Insurance Claims		\$ 6,178
To appropriate insurance proceeds received from INS Insurance, Inc. for damages to asset # 12954, as well as, insurance proceeds received from TML for damages to asset # 14043.				
110-2222-522-1111		Salaries / Supervisory	\$ 307	
110-2223-522-1111		Salaries / Supervisory	\$ 1,022	
110-2230-522-1111		Salaries / Supervisory	\$ 8,891	
110-0000-431-0163		Federal Grants / Federal Grants		\$ 10,220
To appropriate TEEX reimbursements related to Hurricane Maria deployment.				
110-1600-512-1110		Salaries / Administrative	\$ 2,631	
110-1600-512-1220		Personnel Benefits / Retirement/Pension	\$ 438	
110-1600-512-1221		Personnel Benefits / Social Security	\$ 38	
110-1600-512-1223		Personnel Benefits / Worker Compensation	\$ 6	
110-1100-513-1110		Salaries / Administrative		\$ 3,113
To reallocate funding for Acting City Manager temporary assignment pay from October 6, 2017 through December 4, 2017.				

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
January 18, 2018

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-xxxx-5xx-1xxx		General Fund - Performance Pay	\$ 375,855	
110-1500-515-6536		Contingency - Compensation		\$ 343,000
110-1100-513-1110		Salaries / Administrative		\$ 32,855
240-xxxx-551-1xxx		Hotel/Motel Tax Fund - Performance Pay	\$ 20,551	
240-4400-551-6536		Contingency - Compensation		\$ 19,000
240-0000-358-1110		Undesignated Fund Balance / Performance Pay		\$ 1,551
292-29xx-534-1xxx		Drainage Fund - Performance Pay	\$ 13,627	
292-2900-534-6536		Contingency - Compensation		\$ 12,500
292-2900-534-2317		Repair & Maintenance / Drainage Systems		\$ 1,127
362-13xx-515-1xxx		GO Parks Bond Fund - Performance Pay	\$ 2,042	
362-3500-552-6532		Capital - Special Projects / Contingency		\$ 2,042
365-13xx-515-1xxx		TCIP Bond Fund - Performance Pay	\$ 742	
365-1500-515-6536		Contingency - Compensation		\$ 742
520-xxxx-535-1xxx		Water & Wastewater Fund - Performance Pay	\$ 67,884	
520-5000-535-6536		Contingency - Compensation		\$ 63,000
520-5000-535-6532		Capital - Special Projects / Contingency		\$ 4,884
561-xxxx-535-1xxx		UR Bond Fund - Performance Pay	\$ 742	
561-5000-535-6532		Capital - Special Projects / Contingency		\$ 742
To appropriate funds for Performance Pay of 2% of 4% for eligible employees that became effective November 17, 2017.				
110-0000-352-1345		General Fund Balance - Designated for Capital Projects	\$ 5,563	
110-3500-552-6332	101202	Park Fee Expenditures / Villages of Westfield Subdivision		\$ 5,563
To unappropriate funds that remain from The Villages of Westfield agreement with Kiella Development, Inc.				
TOTAL AMENDMENTS			\$ 21,496,960	\$ 21,496,960
GENERAL FUND				
Beginning Contingency Balance			\$	-
Added to Contingency Sweep Account				-
Carry forward from Prior Year				-
Taken From Contingency				-
Net Balance of Contingency Account			\$	-
Beginning Judgments & Damages Contingency			\$	25,182
Added to Contingency Judgments & Damages from Council Contingency				-
Taken From Judgments & Damages				-
Net Balance of Judgments & Damages Contingency Account			\$	25,182
Beginning Compensation Contingency			\$	343,000
Added to Compensation Contingency				-
Taken From Compensation Contingency				(343,000)
Net Balance of Compensation Contingency Account			\$	-
Net Balance Council Contingency			\$	25,182
Beginning Balance Budget Sweep Contingency			\$	-
Added to Budget Sweep Contingency				-
Taken From Budget Sweep				-
Net Balance of Budget Sweep Contingency Account			\$	-
WATER & SEWER FUND				
Beginning Contingency Balance			\$	65,000
Added to Contingency Sweep Account				-
Taken From Contingency				(4,884)
Net Balance of Contingency Account			\$	60,116
Beginning Compensation Contingency			\$	63,000
Added to Compensation Contingency				-
Taken From Compensation Contingency				(63,000)
Net Balance of Compensation Contingency Account			\$	-
Net Balance Water & Sewer Fund Contingency			\$	60,116

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
January 18, 2018

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		HOTEL/MOTEL TAX FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Compensation Contingency	\$	19,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(19,000)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Hotel/Motel Tax Fund Contingency	\$	-
		DRAINAGE FUND		
		Beginning Contingency Balance	\$	807,065
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		(305,900)
		Net Balance of Contingency Account	\$	501,165
		Beginning Compensation Contingency	\$	12,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(12,500)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Drainage Fund Contingency	\$	501,165
		FED/STATE GRANT FUND		
		Beginning Contingency Balance	\$	-
		Carry forward from Prior Year		39,299
		Added to Contingency Sweep Account		6,926
		Taken From Contingency		(37,343)
		Net Balance Fed/State Grant Fund Contingency	\$	8,882

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING BUDGET AMENDMENTS TO THE 2017-2018 CITY BUDGET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on the 25th day of August, 2017, the City Council approved a budget for the 2017-2018 fiscal year; and

Whereas, the City Council deems it in the public interest to make certain amendments to the 2017-2018 City Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council approves amending the 2017-2018 City Budget by adopting the budget amendments which are more fully described in Exhibit 'A,' attached hereto and made a part hereof for all purposes.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 18th day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #9
Regular Agenda
Page 1 of 3

DEPT./ DIVISION SUBMISSION & REVIEW:

Mark Baker, Senior Planner

ITEM DESCRIPTION: FIRST READING - Z-FY-18-03: Consider adopting an ordinance authorizing the rezoning of a 1.49 +/- acre tract of land from Planned Development Multiple-Family Dwelling 1 to Neighborhood Service, located at the northeast corner of South Martin Luther King Jr. Drive and Case Road, addressed as 2945 South Martin Luther King Jr. Drive.

STAFF RECOMMENDATION: Staff recommends approval of a rezoning to Neighborhood Services for the following reasons:

1. The proposed NS zoning is compatible with surrounding zoning, existing and anticipated uses as well as future growth trends in the area;
2. The proposal is in compliance with the Thoroughfare Plan; and
3. Public facilities are available to serve the subject property.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their December 18, 2017 meeting, the Planning & Zoning Commission recommended seven to zero to recommend approval of the proposed rezoning per staff's recommendation.

ITEM SUMMARY: The applicant, Turley Associates, on behalf of Austin Hill Capital LLC, requests the rezoning of a 1.49 +/- acre unplatted tract of land, from Planned Development – Multi-Family One (PD-MF-1) zoning district per Ordinance 2000-2694 on March 2, 2000. While the request is only for a portion of a larger 68.4 +/- acres, an amendment to the ordinance is necessary since it is included in the zoning designation and includes provisions for residential development that has not occurred on the 1.49 +/- acres.

While it is anticipated to be developed with non-residential uses within the Neighborhood Service (NS) zoning designation, no specific development has been identified at this time. The property would be allowed to develop by any uses permitted or conditionally permitted with the NS district.

SUBDIVISION PLAT: A subdivision plat will be required prior to development. The subdivision plat would address lot boundary and any needed right-of-way (ROW) along both South Martin Luther King Jr. Drive and Case Road as well as other subdivision-related requirements by the Development Review Committee (DRC).

While it is anticipated for the property to be developed with non-residential uses, there are a number of both residential and non-residential uses that are permitted in the NS district. The uses are presented in the attached table.

COMPREHENSIVE PLAN (CP) COMPLIANCE: Compliance to goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan are summarized by the attached Comprehensive Plan Compliance table but further described below:

Future Land Use Map (CP Map 3.1)

The subject property is within the Auto-Urban Multi-Family Future Land Use Map (FLUM) designation. The Auto-Urban Multi-Family designation, is intended for residential development whether it be multi-family or in combination with single family residential development and is not consistent with the proposed NS zoning. However, it can be interpreted that since the requested zoning is only 1.49 +/- acres, the proposed NS zoning would provide non-residential support to the area for the adjacent Village at Meadowbend & Meadows at Creekside.

Additionally, the proposed NS zoning is in proximity to the recently approved South Pointe development (Ord. 2017-4843) with Single-Family Attached-Three (SFA-3) & Single Family Three (SF-3) zoning. The South Pointe development is proposed to be developed with townhomes and detached single family homes respectively. The additional residences will benefit from the presence of the neighborhood service uses.

While the request, at face-value is not consistent with the Auto-Urban Multi-Family FLUM designation, the proposed rezoning is of limited acreage and would support the existing and proposed residential uses in the area, it therefore **is** consistent with the FLUM designation.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from both South Martin Luther King Jr. Drive, a minor arterial and Case Road, a collector. The required subdivision plat will address any needed right-of-way dedication for both. To date, no dedication issues have been identified by staff but will be further evaluated with a forthcoming plat. No Transportation Capital Improvement Program (TCIP) improvements scheduled through FY 2024 have been identified.

Availability of Public Facilities (CP Goal 4.1)

Water is available through a 12-inch water line on the north side of Case Road and a 12-inch waterline in South Martin Luther King Jr. Drive. Sewer is available through an 8-inch sewer line in Case Road.

Temple Trails Master Plan Map and Sidewalks Ordinance

A proposed Local Connector Trail along South Martin Luther King Jr. Drive is shown on the Trails Master Plan. As a minor arterial, a minimum 6' sidewalk is required along South Martin Luther King Jr. Dr. Additionally, Case Road, as a collector, requires a four foot sidewalk. Provisions for the sidewalk will be addressed during the plat review stage.

DEVELOPMENT REGULATIONS: The attached tables compare and contrast, the current land uses and development standards for the current PD-MF-1 and the proposed NS districts as provided for in UDC Sections 5.1 & 4.5.

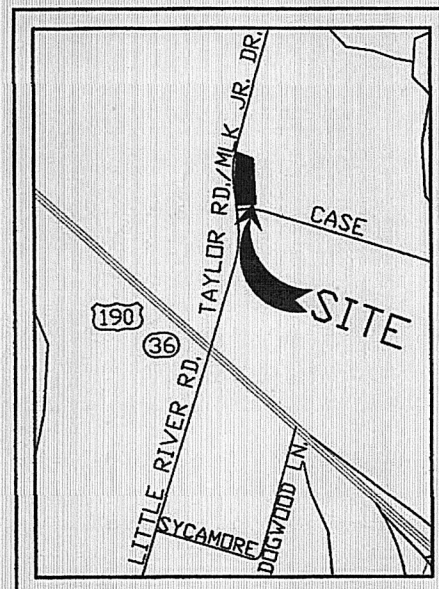
PUBLIC NOTICE: Six notices to property owners within 200-feet of the subject property were sent notice of the public hearing as required by State law and City Ordinance. As of Monday January 8, 2018 at 9:00 AM, one notice in disagreement has been received.

The newspaper printed notice of the public hearing on December 7, 2017, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Survey Map & Field Notes \(Exhibit A\)](#)
[Ordinance 2000-2694](#)
[Photos](#)
[Tables](#)
[Maps](#)
[Returned Property Notice](#)
[P&Z Excerpts \(December 18, 2017\)](#)
[Ordinance](#)



VICINITY MAP
NTS

SCALE = 1:50

BEING a 1.491 acre tract of land situated in the MAXIMO MORENO SURVEY, ABSTRACT No. 14, Bell County, Texas and being a part or portion of that certain 53.410 acre tract of land described in a Warranty Deed with Vendor's Lien dated October 9, 2001 from Montie J. Kitching and wife, Clara Berry Kitching to Encinas Group of Texas, Inc. a Texas corporation and being of record in Volume 4508, Page 267, Official Public Records, Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found being in the south boundary line of the said 53.410 acre tract and being in the north right-of-way line of Case Road (No recordation found) and being the southwest corner of that certain 10.001 acre tract of land described as The Village at Meadowbend II according to the map or plat of record in Cabinet D, Slide 48-D, Plat Records of Bell County, Texas for corner;

THENCE N. 73° 24' 18" W., 163.63 feet (calls N. 73° 24' 20" W., 1797.29 feet in Volume 4508, Page 267) departing the said 10.001 acre tract and with the south boundary line of the said 53.410 acre tract and the said north right-of-way line of Case Road to a 5/8" iron rod found being the southwest corner of the said 53.410 acre tract and being in the east right-of-way line of Martin Luther King, Jr. Drive as described in a Warranty Deed dated May 28, 1996 from Montie J. Kitching and wife, Clara Kitching to the City of Temple and being of record in Volume 3478, Page 600, Official Public Records, Bell County, Texas for corner;

THENCE N. 06° 57' 32" W., 150.48 feet (calls N. 07° 00' 25" W., 150.50 feet in Volume 4508, Page 267) and (calls S. 06° 56' 30" E., 150.48 feet in Volume 3478, Page 600) departing the said north right-of-way line of Case Road and with the west boundary line of the said 53.410 acre tract and the said east right-of-way line of Martin Luther King Jr. Drive to a 5/8" iron rod with cap stamped "ACS" found being at the beginning of a curve to the right having a radius equals 960.00 feet (calls 960.00 feet in Volume 4508, Page 267) and (calls 960 feet in Volume 3478, Page 600), chord bearing equals N. 01° 28' 57" E., 278.49 feet (calls N. 01° 29' 00" E., 278.47 feet in Volume 4508, Page 267) and (calls S. 04° 24' 30" W., 377.93 feet in Volume 3478, Page 600) for corner;

This project is referenced to the City of Temple Coordinate System, an extension of the Texas Coordinate System of 1983, Central Zone. All distances are horizontal surface distances unless noted, and all bearings are grid bearings. All coordinate values are referenced to City Monument No. 31. The theta angle at said monument is 01°32'47". The Combined Correction Factor (CCF) is 0.999851. Published City Coordinates are N=10360310.53, E=3236600.50. The tie from the above City Monument to the POB of the 1.491 acre tract is N27°01'14"W 3605.38 feet. Grid Distance= Surface Distance X CCF. Geodetic North= Grid North + theta angle.

EXHIBIT A

THENCE 279.47 feet (calls 279.45 feet in Volume 4508, Page 267) and (calls 380.41 feet in Volume 3478, Page 600) along the arc of said curve to the right and continuing with the said west boundary line and the said east right-of-way line of Martin Luther King Jr. Drive to a 1/2" iron rod with cap stamped "ACS" found being an exterior ell corner in the west boundary line of the said 53.410 acre tract and being the southwest corner of that certain tract of land described as The Village at Meadowbend according to the map or plat of record in Cabinet C, Slide 299-C, Plat Records of Bell County, Texas for corner;

THENCE S. 74° 16' 21" E., 150.95 feet (calls S. 74° 16' 21" E., 684.85 feet in Volume 4508, Page 267) departing the said east right-of-way line of Martin Luther King Jr. Drive and continuing with the west boundary line of the said 53.410 acre tract and with the south boundary line of the said Village at Meadowbend to a 1/2" iron rod found being the northwest corner of the said Village at Meadowbend II and being at the beginning of a curve to the left having a radius equals 810.00 feet (calls 810.00 feet in Cabinet D, Slide 48-D), chord bearing equals S. 00° 56' 15" W., 219.47 feet (calls N. 00° 56' 15" E., 219.47 feet in Cabinet D, Slide 48-D) for corner;

THENCE 220.15 feet (calls 220.15 feet in Cabinet D, Slide 48-D) departing the said west boundary line and the said Village at Meadowbend and with the west boundary line of the said Village at Meadowbend II along the arc of said curve to the left to a 1/2" iron rod found for corner;

THENCE S. 06° 57' 32" E., 215.73 feet continuing with the said west boundary line of said Village at Meadowbend II (calls N. 06° 57' 32" W., 215.73 feet in Cabinet D, Slide 48-D) to the Point of BEGINNING and containing 1.491 acres of land.

The following easements do not affect this tract:
Volume 494, Page 80
Volume 530, Page 408
Volume 708, Page 130

Non-exclusive easement to Time Warner Cable Waco, L.P. in Volume 6121, Page 614 is a blanket easement which affects this tract.

Easement to Lone Star Gas Company in Volume 382, Page 526 is a blanket easement which affects this tract. Partial Release of Easement in Volume 5701, Page 39 modifies this blanket easement to a 50' wide strip of land as located on Lot 1, Block 1, The Village at Meadowbend II.

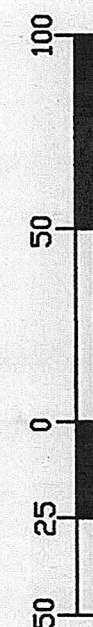
CERTIFIED TO: Heritage Title Company of Austin, Inc. and Chicago Title Insurance Company

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS, that I Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, COUNTY OF BELL : do hereby certify that this survey was this day made on the ground of the property described herein and is correct and that there are no discrepancies, conflicts, shortages in the area, easements, and right-of-ways except as shown hereon, that this tract of land has access to and from a public road, and I have marked all corners with monuments.

This Property is not within the Special Flood Hazard Area as per the Federal Emergency Management Agency Federal Insurance Administration Map No. 480034-0010-C, dated January 19, 1983.

IN WITNESS THEREOF, my hand and seal, this the 25th day of July, 2007.

Michael E. Alvis
Michael E. Alvis, R.P.L.S., No. 5402



ENGINEERING • PLANNING • SURVEYING
CONSTRUCTION MANAGEMENT

TURLEY ASSOCIATES, INC.

301 N. 3rd ST. TEMPLE, TEXAS 773-2400
E-MAIL: VDTURLEY@AOL.COM (254) 773-3998

1.491 ACRES

CITY OF TEMPLE, BELL COUNTY, TEXAS

REVISIONS

DATE	REVISION	BY
07/25/07	certified to	JFB

DATE: 07-25-07
DRN. BY: JFB
REF.:

FIELD BOOK
JOB NO.: 07-321
SHEET 1 OF 1
COMPUTER DWG. NO.

11796-C
DRAWING NUMBER

BEING a 1.491 acre tract of land situated in the MAXIMO MORENO SURVEY, ABSTRACT No. 14, Bell County, Texas and being a part or portion of that certain 53.410 acre tract of land described in a Warranty Deed with Vendor's Lien dated October 9, 2001 from Montie J. Kitching and wife, Clara Berry Kitching to Encinas Group of Texas, Inc. a Texas corporation and being of record in Volume 4508, Page 267, Official Public Records, Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod found being in the south boundary line of the said 53.410 acre tract and being in the north right-of-way line of Case Road (No recordation found) and being the southwest corner of that certain 10.001 acre tract of land described as The Village at Meadowbend II according to the map or plat of record in Cabinet D, Slide 48-D, Plat Records of Bell County, Texas for corner;

THENCE N. 73° 24' 18" W., 163.63 feet (calls N. 73° 24' 20" W., 1797.29 feet in Volume 4508, Page 267) departing the said 10.001 acre tract and with the south boundary line of the said 53.410 acre tract and the said north right-of-way line of Case Road to a 5/8" iron rod found being the southwest corner of the said 53.410 acre tract and being in the east right-of-way line of Martin Luther King, Jr. Drive as described in a Warranty Deed dated May 28, 1996 from Montie J. Kitching and wife, Clara Kitching to the City of Temple and being of record in Volume 3478, Page 600, Official Public Records, Bell County, Texas for corner;

THENCE N. 06° 57' 32" W., 150.48 feet (calls N. 07° 00' 25" W., 150.50 feet in Volume 4508, Page 267) and (calls S. 06° 56' 30" E., 150.48 feet in Volume 3478, Page 600) departing the said north right-of-way line of Case Road and with the west boundary line of the said 53.410 acre tract and the said east right-of-way line of Martin Luther King Jr. Drive to a 5/8" iron rod with cap stamped "ACS" found being at the beginning of a curve to the right having a radius equals 960.00 feet (calls 960.00 feet in Volume 4508, Page 267) and (calls 960 feet in Volume 3478, Page 600), chord bearing equals N. 01° 28' 57" E., 278.49 feet (calls N. 01° 29' 00" E., 278.47 feet in Volume 4508, Page 267) and (calls S. 04° 24' 30" W., 377.93 feet in Volume 3478, Page 600) for corner;

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Page 1 of 2

EXHIBIT A

beginning of a curve to the left having a radius equals 810.00 feet (calls 810.00 feet in Cabinet D, Slide 48-D), chord bearing equals S. 00° 56' 15" W., 219.47 feet (calls N. 00° 56' 15" E., 219.47 feet in Cabinet D, Slide 48-D) for corner;

THENCE 220.15 feet (calls 220.15 feet in Cabinet D, Slide 48-D) departing the said west boundary line and the said Village at Meadowbend and with the west boundary line of the said Village at Meadowbend II along the arc of said curve to the left to a ½" iron rod found for corner;

THENCE S. 06° 57' 32" E., 215.73 feet continuing with the said west boundary line of said Village at Meadowbend II (calls N. 06° 57' 32" W., 215.73 feet in Cabinet D, Slide 48-D) to the Point of BEGINNING and containing 1.491 acres of land.

I, Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of a survey made on the ground.



Michael E. Alvis, R.P.L.S.#5402
July 9, 2007

THIS PROJECT IS REFERENCED TO THE CITY OF TEMPLE COORDINATE SYSTEM, AN EXTENSION OF THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS.

ALL COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 31.
THE THETA ANGLE AT SAID CITY MONUMENT IS 01° 32' 47"
THE COMBINED CORRECTION FACTOR (CCF) IS 0.999851
PUBLISHED CITY COORDINATES ARE N = 10,360,310.53 E = 3,236,600.50
THE TIE FROM THE ABOVE CITY MONUMENT TO THE CONCRETE MONUMENT FOUND IS
N. 27° 01' 14" W., 3,605.38 FEET.
GRID DISTANCE = SURFACE DISTANCE X CCF
GEODETIC NORTH = GRID NORTH + THETA ANGLE

See attached surveyors sketch that accompanies this set of field notes (ref: Turley Associates, Inc. drawing no.11796-C).

EXHIBIT A



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ORDINANCE NO. 2000-2694

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM AGRICULTURAL DISTRICT TO PLANNED DEVELOPMENT (MF-1) DISTRICT ON 68.4 ACRES OF LAND, OUT OF OUTBLOCKS 1006-A, C, D, CITY ADDITION, LOCATED AT 2805 MARTIN LUTHER KING, JR. DRIVE, NORTH OF CASE ROAD, IN ACCORDANCE WITH SECTIONS 7-500 THROUGH 7-509 OF THE COMPREHENSIVE ZONING ORDINANCE; PROVIDING CONDITIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the owner of the property described as 68.4 acres of land, out of Outblocks 1006-A, C, D, City Addition, located at 2805 Martin Luther King, Jr. Drive, has requested a zoning change from Agricultural District to Planned Development (MF-1) District; and

Whereas, the City Council, after notice and a public hearing, finds that it is in the public interest to authorize this action.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The zoning classification of the property described as 68.4 acres of land, out of Outblocks 1006-A, C, D, City Addition, located at 2805 Martin Luther King, Jr. Drive, more fully described in Exhibit "A," attached hereto and made a part hereof for all purposes, is changed from Agricultural District to Planned Development (MF-1) District.

Part 2: In accordance with Sections 7-500 through 7-509 of the Comprehensive Zoning Ordinance of the City of Temple, Texas, Ordinance No. 91-2101, is amended by changing the zoning classification of the property described in Part 1 above, to Planned Development District (MF-1), and shall comply with all applicable sections of the Code of Ordinances of the City of Temple, Texas, and all local, State and Federal laws and regulations as they may now read or hereafter be amended, including but not limited to the following conditions:

- (a) The use of the property shall conform to all requirements of the MF-1 Zoning District.
- (b) The development of the property shall conform to all requirements of the MF-1 Zoning District.
- (c) Development or redevelopment of the property shall require site plan approval by both the Planning Commission and the City Council with the same requirements as for a zone change application. For the portion of the property devoted to single family housing or park property, a plat will suffice for the site plan.

- (d) No more than 18 acres may be used as multifamily with a maximum density of 11.66 dwelling units per acre with the balance of the property being developed in detached single family homes and public park property.

These conditions shall be express conditions of any building permit issued for construction on the property which may be enforced by the City of Temple by an action either at law or in equity, including the right to specifically enforce the requirements of the ordinance, and these requirements shall run with the land.

Part 3: The Director of Planning is hereby directed to make the necessary changes to the City Zoning Map accordingly.

Part 4: If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Part 5: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings.


PASSED AND APPROVED on First Reading on the 2nd day of March, 2000.

PASSED AND APPROVED on Second and Final Reading on the 16th day of March, 2000.

THE CITY OF TEMPLE, TEXAS

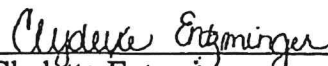

KEIFER MARSHALL, JR., Mayor

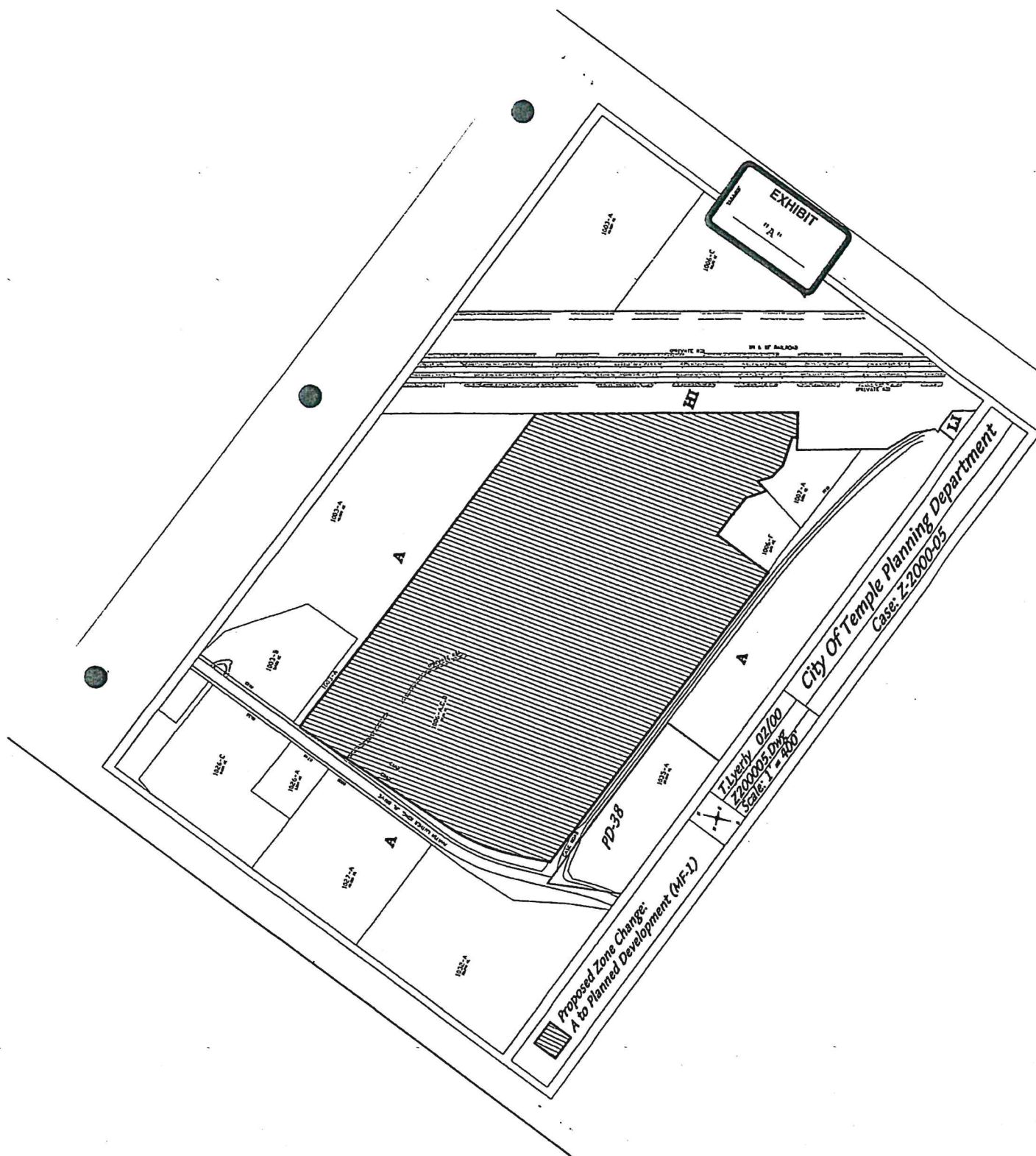
APPROVED AS TO FORM:


Jonathan Graham
City Attorney

ATTEST:




Clydette Entzminger
City Secretary



Site & Surrounding Property Photos



Site (Looking North toward Site from Case Road): Undeveloped (PD-MF-1)



North (Zoomed-In) Looking Across Site toward North): Multi-Family Residential Village at Meadowbend (PD-MF-1)



**South: Looking across Case Road toward Future South Pointe Development:
Undeveloped
(SFA-3 & SF-3 Ordinance 2017-4843)**



**East: Multi-Family Residential (Village at Meadowbend)
(PD-MF-1)**



**West (Looking Across the Site & South Martin Luther King JR. Drive):
Undeveloped
(PD-O2)**

Tables

**Permitted & Conditional Uses Table
Comparison between PD-MF-1 & NS**

Use Type	Planned Development Multi-Family One (PD-MF-1)	Neighborhood Service (NS)
Agricultural Uses	Farm, Ranch or Orchard	Same as PD-MF-1
Residential Uses	Single Family Residence (Detached & Attached) Apartments Townhouse Triplex Duplex Industrialized Housing Family / Group Home	Single Family Detached & Attached Only Industrialized Housing Family or Group Home (CUP) No Apartment No Townhouse No Triplex No Duplex
Retail & Service Uses	None	Most Retail & Service Uses Beer & Wine Sales, off-premise consumption (CUP)
Commercial Uses	None	Same as PD MF-1
Industrial Uses	Temporary Asphalt & Concrete Batching Plat (CUP)	Same as PD-MF-1 Laboratory, medical, dental, scientific or research (CUP)
Recreational Uses	Park or Playground	Same as PD-MF-1
Educational & Institutional Uses	Cemetery (CUP) Place of Worship Social Svc. Shelter (CUP) Halfway House (CUP)	Same as PD-MF-1
Vehicle Service Uses	None	Fuel Sales (CUP)
Restaurant Uses	None	Restaurant - No Drive-In
Overnight Accommodations	None	Same as PD-MF-1

Surrounding Property Uses

	<u>Surrounding Property & Uses</u>		
<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Auto-Urban Multi-Family	PD-MF-1	Undeveloped
North	Auto Urban Multi-Family	PD-MF-1	Scattered SF Uses
South	Auto Urban Multi-Family / Commercial	SFA-3 & SF-3	Undeveloped - Proposed South Pointe Development
East	Auto Urban Multi-Family / Auto Urban Residential	PD-MF-1	Multi-Family & Single Family Uses (Village at Meadowbend & Meadows at Creekside)
West	TMED	PD-O-2	Scattered Non-Residential, MF & SF Uses on Acreage

Comprehensive Plan Compliance

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use Map	YES
CP	Map 5.2 - Thoroughfare Plan	YES
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	YES
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	YES
CP = Comprehensive Plan STP = Sidewalk and Trails Plan		

**Dimensional Standards
(UDC Section 4.5)**

	<u>Current (PD-MF-1) MF Dwelling</u>	<u>Current (PD-MF-1) SF Detached</u>	<u>Proposed (NS) Non-Residential</u>
Minimum Lot Size	3,000 SF	6,000 SF	N/A
Minimum Lot Width	60 Feet	50 Feet	N/A
Minimum Lot Depth	120 Feet	100 Feet	N/A
Front Setback	25 Feet	25 Feet	15 Feet
Side Setback	15 Feet	10% Lot Width 5 Foot Minimum	10 Feet
Side Setback (corner)	15 Feet	15 Feet	10 Feet
Rear Setback	10 Feet	10 Feet	❖ 10 Feet
Max Building Height	2 Stories	3 Stories	2 ½ Stories

❖ 10' rear setback (Non-residential use abuts a residential zoning district or use - UDC Section 4.4.4.F3)

General provisions for buffering and screening for non-residential uses adjacent to residential uses are found in UDC Section 7.7, highlighted provisions include but not limited to:

- * Landscaping or solid fencing from 6 to 8 feet in height (UDC Section 7.7.4),
- * Refuse containers located in the side or rear of the property (UDC Section 7.7.6), and
- * Screened outdoor storage (UDC Section 7.7.8.B1).

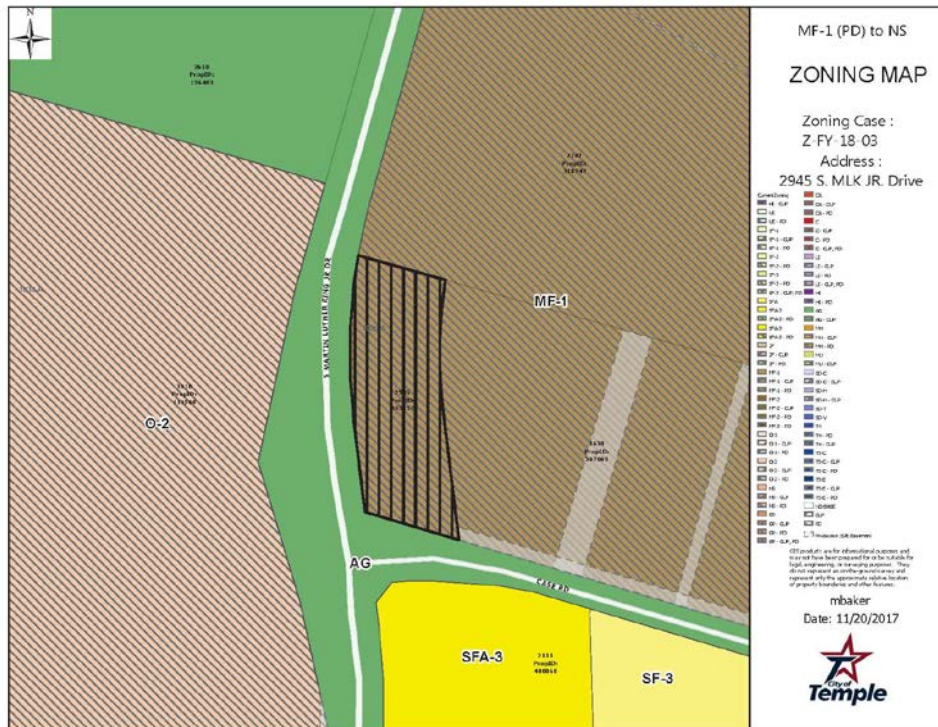
Maps



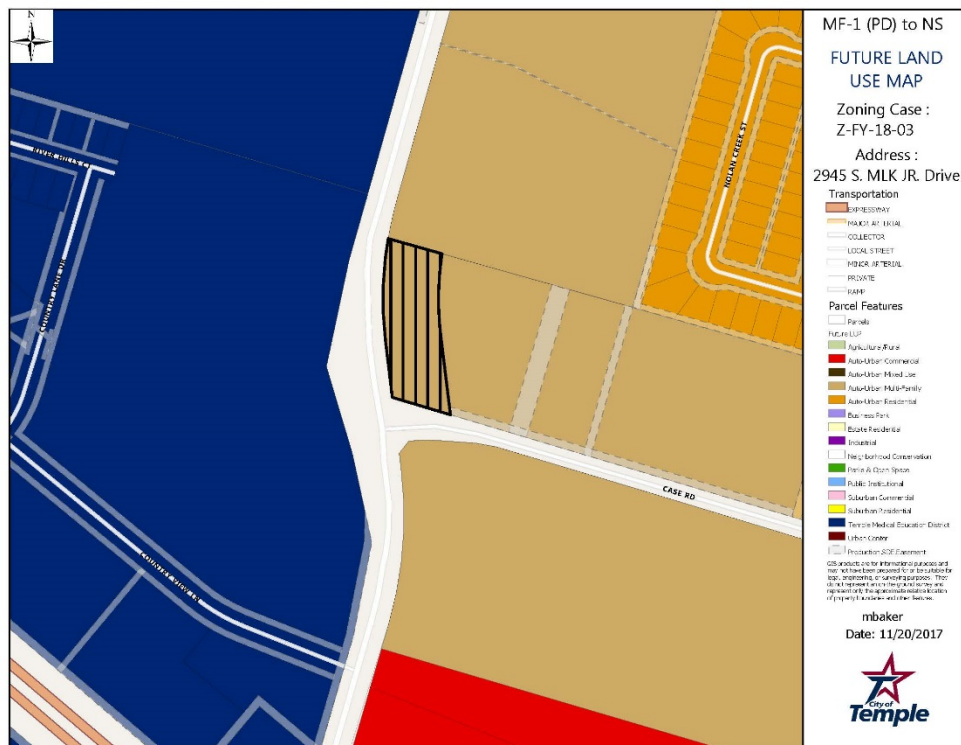
Aerial Map



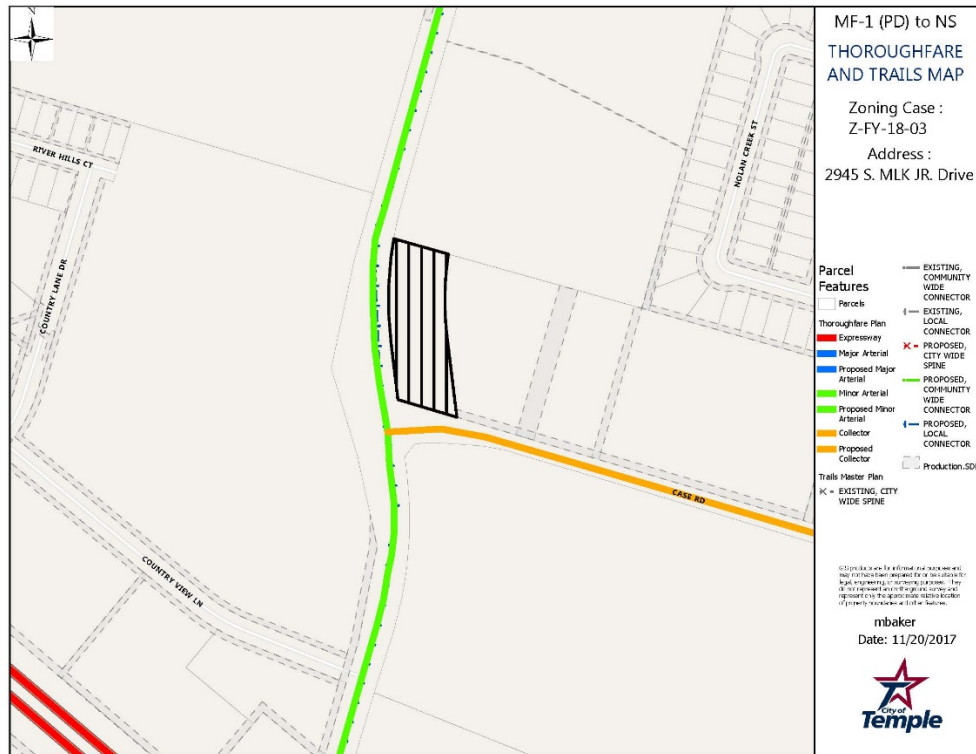
Location Map



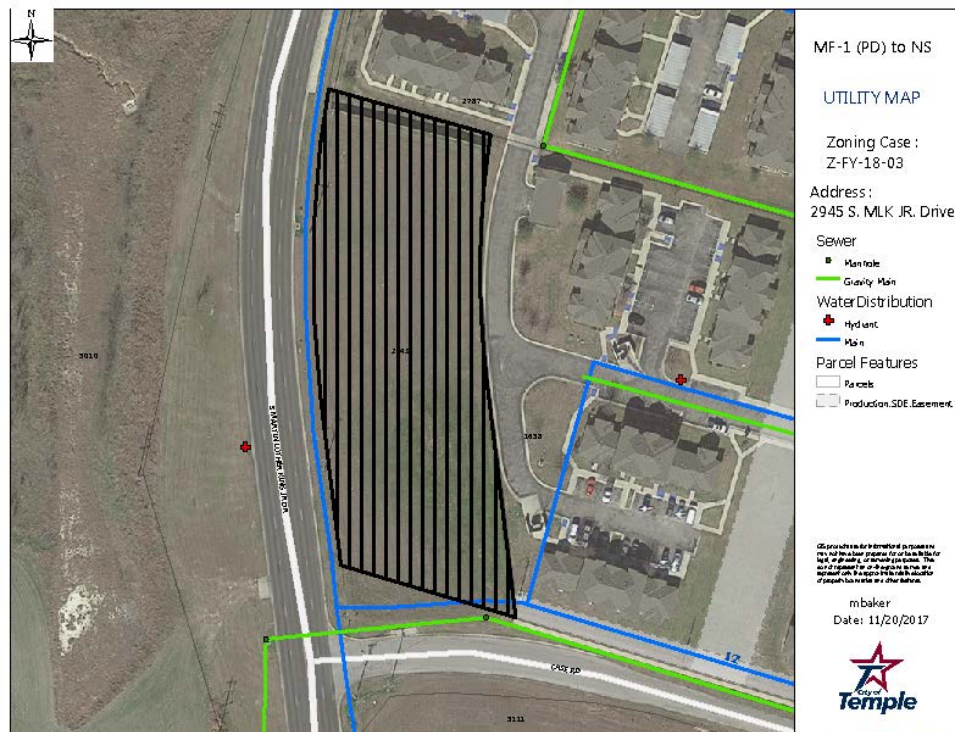
Zoning Map

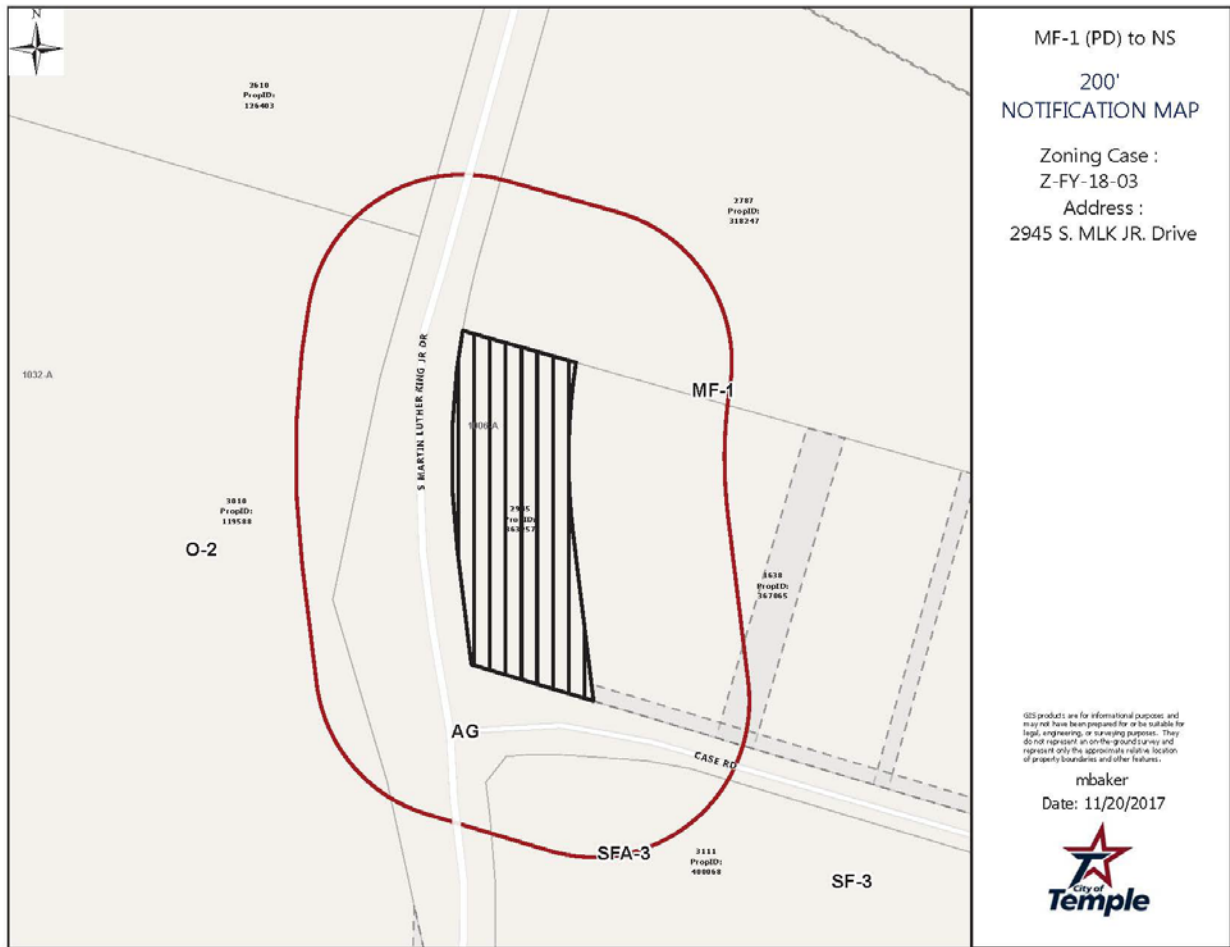


Future Land Use Map



Thoroughfare & Trails Map





Notification Map



**RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE**

MITCHELL, KENNETH H
1005 SHADY RIVER CT N
BENBROOK, TX 76126-2900

Zoning Application Number: Z-FY-18-03

Case Manager: Mark Baker

Location: 2945 South Martin Luther King Jr. Drive

The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice, and provide any additional comments you may have.

I () agree

(☒) disagree with this request

Comments:

I am not sure what they want to build. Some of the uses permitted in US zoning may not be suitable for the senior community across the street.

Ken Mitchell

817-832-4246

Ken Mitchell

Ken Mitchell

Signature

Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **December 18, 2017**.

RECEIVED

City of Temple
Planning Department
2 North Main Street, Suite 102
Temple, Texas 76501

DEC 11 2017
City of Temple
Planning & Development

Number of Notices Mailed: 6

Date Mailed: December 7, 2017

OPTIONAL: Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, DECEMBER 18, 2017**

ACTION ITEMS

Item 4: Z-FY-18-03 – Hold a public hearing to discuss and recommend action to amend Ordinance 2000-2694 for rezoning of a 1.49 +/- acre tract of land from Planned Development Multiple-Family Dwelling 1 (PD MF-1) to Neighborhood Service (NS), located at the northeast corner of South Martin Luther King JR. Drive and Case Road, addressed as 2945 South Martin Luther King JR. Drive.

Mr. Mark Baker, Senior Planner, stated this item is scheduled to go forward to City Council for first reading on January 18, 2018 and second reading on February 1, 2018.

The subject property is bounded by South Martin Luther King Jr. Drive and Case Road and amends Ord. No. 2000-2694 for a Planned Development with MF-1 base zoning. The remaining acreage does not lend itself to further multi-family development.

There is no specific development tied to this request; it is just a rezoning request.

A subdivision plat will be required prior to development of the property.

The zoning map is shown which indicates the PD MF-1 by Ord. No. 2000-2694 for a Planned Development and Multi-Family Uses and proposed Neighborhood Service (NS) which provides opportunities for non-residential uses in support of local residential neighborhood.

The Future Land Use and Character Map designates the property as Auto Urban Multi-Family which is intended for residential development and supports NS zoning where it supports the local neighborhood.

Water and sewer are available to serve the property.

The Thoroughfare Plan designates South Martin Luther King Jr. Drive as an Arterial and Case Road as a Collector. There is no anticipated Transportation Capital Improvement Program (TCIP) improvements funded or scheduled through 2024.

A proposed local connector trail as well as a required sidewalk along Case Road and South Martin Luther King Jr. Drive which would be addressed during the platting process.

Surrounding properties include Village at Meadowbend (zoned PD-MF-1) to the north and east, and South Pointe Development (zoned SFA-3) and undeveloped property to the south.

Comparison chart (not inclusive) of allowed uses between existing PD-MF-1 and proposed NS shown.

Current and proposed Development Standards shown.

Per UDC Section 7.7.4 – Buffering and Screening:

May consist of evergreen hedges composed of five-gallon plants or larger, with a planted height of six-feet on 36-inch centers;

May consist of a six-foot to eight-foot high fence or wall, constructed by any number of allowed materials per UDC Section 7.7.5, such as:

Wood,

Masonry,

Stone or pre-cast concrete

Six notices were mailed in accordance with all state and local regulations with zero responses returned in agreement and one response returned in disagreement.

The request is in compliance with the Future Land Use and Character Map, the Thoroughfare Plan, is compatible with surrounding uses and zoning, and public facilities are available to serve the property.

Staff recommends approval of the request to amend Ordinance No. 2000-2694 for a rezoning from PD-MF-1 District to NS District.

Chair Fettig opened the public hearing.

There being no speakers, the public hearing was closed.

Vice-Chair Langley made a motion to approve Item 4, Z-FY-18-03, per Staff recommendation and Commissioner Marshall made a second.

Motion passed: (7:0)

Commissioners Alaniz and Crisp absent

ORDINANCE NO. _____
(Z-FY-18-03)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE REZONING OF AN APPROXIMATELY 1.49 ACRE TRACT OF LAND FROM PLANNED DEVELOPMENT MULTI-FAMILY DWELLING ZONING DISTRICT TO NEIGHBORHOOD SERVICE ZONING DISTRICT, LOCATED AT THE NORTHEAST CORNER OF SOUTH MARTIN LUTHER KING JR. DRIVE AND CASE ROAD, AND ADDRESSED AS 2945 SOUTH MARTIN LUTHER KING JR. DRIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant, Turley Associates, on behalf of Austin Hill Capital, LLC, requests the rezoning of an approximately 1.49 acre unplatted tract of land from Planned Development-Multiple-Family One zoning district per Ordinance 2000-2695 approved by City Council on March 2, 2000;

Whereas, while this request is only for a portion of a larger approximately 68.4 acres, an amendment to the Ordinance is necessary since it is included in the zoning designation and includes provisions for residential development that has not occurred on the approximately 1.49 acres;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, recommends approval of the rezoning from Planned Development Multiple-Family Dwelling One to Neighborhood Service, on an approximately 1.49 acre tract of land located at the northeast corner of South Martin Luther King Jr. Drive and Case Road, addressed as 2945 South Martin Luther King Jr. Drive; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: The City Council approves a rezoning from Planned Development Multiple-Family Dwelling One to Neighborhood Service, on an approximately 1.49 acre tract of land located at the northeast corner of South Martin Luther King Jr. Drive and Case Road, addressed as 2945 South Martin Luther King Jr. Drive, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 3: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

Part 4: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 5: This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **18th** day of **January**, 2018.

PASSED AND APPROVED on Second Reading on the **1st** day of **February**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #10
Consent Agenda
Page 1 of 3

DEPT. / DIVISION SUBMISSION & REVIEW:

Lynn Barrett, Assistant Planning Director

ITEM DESCRIPTION: FIRST READING – Z-FY-18-04: Consider adopting an ordinance authorizing a rezoning from Planned Development Single Family Dwelling 3 and Agricultural zoning districts to Planned Development-Single Family Attached 3 with a site development plan on 2.50 +/- acres, situated in the Maximo Moreno, Abstract No. 14, Bell County, Texas, located on East Avenue N, west of 38th Street and Hope Street, and addressed as 1880 East Avenue N and 1921 Hope Street.

STAFF RECOMMENDATION: Staff recommends approval of Z-FY-18-04, rezoning the subject property to PD SFA-3 for a 13 unit/ 26 home development and community center with the following conditions:

PD Conditions:

1. Substantial compliance with the attached development/site plan
2. 10 foot side setbacks between the two-family units on lots, each of the attached homes shares a common firewall
3. Lots for each attached unit will measure 25 feet in width; 115 to 80 feet deep and contain a single family attached home with a ten foot setback on one side and a zero lot line on the attached dwelling unit side
4. Community Center for residents will be provided
5. A community HOA will maintain the properties

PLANNING & ZONING COMMISSION RECOMMENDATION: At their December 18, 2017 meeting, the Planning & Zoning Commission voted seven to zero to recommend approval of the rezoning and development site plan to PD-SFA3 per staff's recommendation.

ITEM SUMMARY:

This request is for a rezoning from the AG and PD SF3 zoning districts to the PD-SFA-3 zoning district to allow for 26-lot, 13 unit single family attached development. The applicant envisions that the properties would be purchased by veterans and is presenting their ideas to community and state stakeholders for funding and is applying for city incentives. The subject property is located along East Avenue N and is on two lots totaling 2.5 +/- acres. The property is currently vacant and unplatted.

Per UDC, Section 3.4.3 & 3.4.4, a Planned Development requires approval of a Development/Site plan that is binding. Applicant proposes small single family attached dwelling units with ten foot separation and having a common firewall between the attached homes.

On December 8, 2017, the DRC met to discuss the proposal.

SURROUNDING PROPERTY AND USES: The following table provides the direction from the property, Future Land Use Plan (FLUP) designation, existing zoning and current land uses:

Direction	FLUP	Zoning	Current Land Use
Subject Property	Auto Urban Residential	PD SF-3 & AG	Undeveloped
North	Auto Urban Multi Family	MF-2	Multi Family
South	Auto Urban Residential ;	AG	Undeveloped
East	Auto Urban Multi Family	PD SF-3	Residential
West	Auto Urban Residential	MF-2	Multi Family

COMPREHENSIVE PLAN COMPLIANCE: The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan:

Document	Policy, Goal, Objective or Map	Compliant?
CP	Map 3.1 - Future Land Use and Character (FLUP)	Yes
CP	Map 5.2 - Thoroughfare Plan	Yes
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	Yes

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

Future Land Use and Character Plan (FLUP) (CP Map 3.1)

Auto Urban Residential is the dominant future land use for this area. The *Choices '08* City of Temple Comprehensive Plan states that the Auto Urban Residential character district is suited for smaller single family lots similar to the range of lot sizes available in the City's current SF and SFA zoning districts. The PD provides a hybrid mixture of two family attached units that share a fire wall along the property line in a community-style environment.

Thoroughfare Plan (CP Map 5.2) and Temple Trails Master Plan Map and Sidewalk Ordinance

The subject property is bounded by East Avenue N and Hope Street which are identified as a local streets on the Thoroughfare Plan. This property is not in the area of any proposed trails.

Availability of Public Facilities (CP Goal 4.1)

Water and sewer are available through several potential connections. Details of public facilities and extensions will be addressed during the platting process.

UDC, Section 3.4 Planned Development

A Planned Development is defined as:

"A flexible overlay zoning district designed to respond to unique development proposals, special design considerations and land use transitions by allowing evaluation of land use relationships to surrounding areas through development plan approval."

DEVELOPMENT REGULATIONS: The attached development site plan will provide the development and dimensional standards for this development.

PUBLIC NOTICE: 15 notices of the public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Wednesday December 28, 2017, one notice has been returned in favor of the proposed rezoning (property owners) and zero notices have been returned in opposition to the proposed rezoning. The newspaper printed the notice of the public hearing on December 7, 2017, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Site Plans](#)
[Location Map](#)
[Zoning Map](#)
[Site and Surrounding Property Photos](#)
[Thoroughfare & Trails Map](#)
[Utility Map](#)
[Notification Map](#)
[Returned Property Owner Notices](#)
[Future Land Use Map](#)
[Ordinance](#)

Community Concept Drawing



— Property line

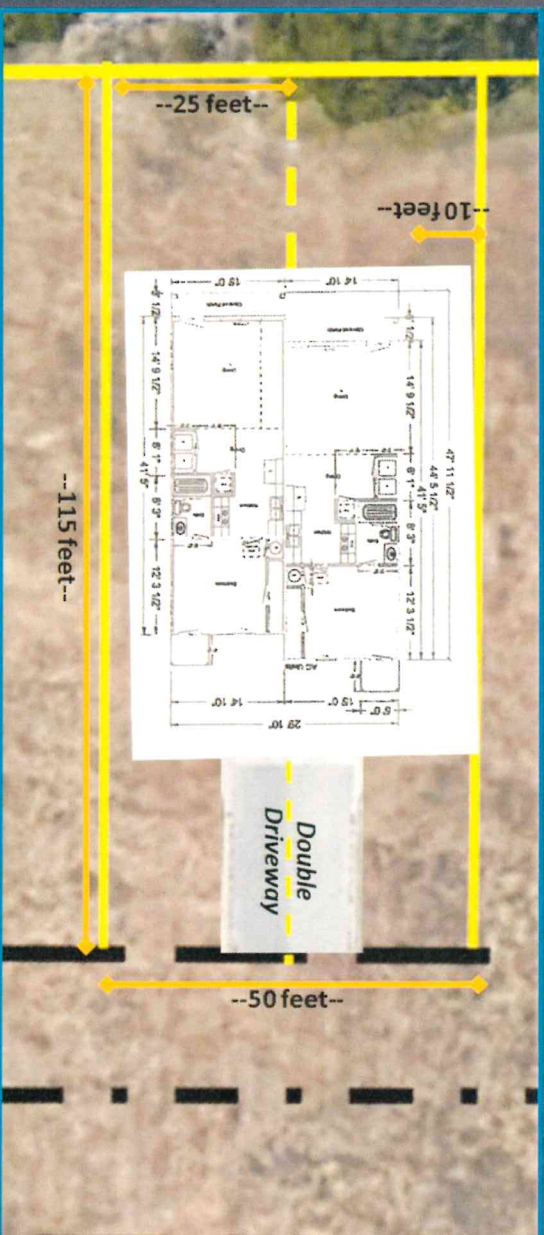
- - - Unit center wall
(center property line)

— Street

Community Center

Total of 13 Units = 26
homes

Property Line



yellow) being separating property line (115'x25').

next main property line.

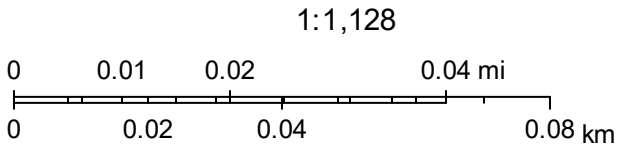


Temple Web Map



12/14/2017, 12:12:31 PM

- Parcels _Query result
- Original Annexation Areas





PropID: 43426

GR

1811
PropID: 129282

MF-2

SF-3

AG

AG

2001
PropID: 119589

E AVE K

1102
PropID: 94697

1106
PropID: 129206

1112
PropID: 56339

1118
PropID: 125974

1122
PropID: 31827

1210
PropID: 232261

1214
PropID: 232262

1915
PropID: 232263

1919
PropID: 232264

2F

MARDEAN LN

S 38TH ST

HOPE ST

SF-3

2003
PropID: 130948

2009
PropID: 27754

2013
PropID: 130947

2010
PropID: 232255

2014
PropID: 232256

2004
PropID: 31832

2007
PropID: 232259

2011
PropID: 232258

2016
PropID: 232257

2100
PropID: 211070

1413
PropID: 63249

PD SF3 & AG to PD SFA-3

ZONING MAP

Zoning Case :
Z-FY-18-04

Address :
1880 E Ave N
& 1921 Hope St

CurrentZoning	
HI - CUP	CA - CUP
UE	CA - PD
UE - PD	C
SF-1	C - CUP
SF-1 - CUP	C - PD
SF-1 - PD	C - CUP, PD
SF-2	LI
SF-2 - PD	LI - CUP
SF-3	LI - PD
SF-3 - PD	LI - CUP, PD
SF-3 - CUP, PD	HI
SFA	HI - PD
SFA-2	AG
SFA-2 - PD	AG - CUP
SFA-3	MH
SFA-3 - PD	MH - CUP
2F	MH - PD
2F - CUP	MU
2F - PD	MU - CUP
MF-1	SD-C
MF-1 - CUP	SD-C - CUP
MF-1 - PD	SD-H
MF-2	SD-H - CUP
MF-2 - CUP	SD-T
MF-2 - PD	SD-V
MF-3 - PD	T4
O-1	T4 - PD
O-1 - CUP	T4 - CUP
O-1 - PD	TS-C
O-2	TS-C - CUP
O-2 - CUP	TS-C - PD
O-2 - PD	TS-E
NS	TS-E - CUP
NS - CUP	TS-E - PD
NS - PD	NO BASE
GR	CUP
GR - CUP	PD
GR - PD	Production.SDE.Easement
GR - CUP, PD	

GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.

Irbarrett

Date: 12/6/2017



SITE PHOTOS



Above is looking into site and below is looking north along E Ave N



View South along E Ave N



Adjacent Property to South (Wayman's Manor apartments)



View into property from Hope Street



View Across E Ave N





PD SF3 & AG
TO PD SFA-3
**THOROUGHFARE
AND TRAILS MAP**

Zoning Case :

Z-FY-18-04

Address :

1880 E AVE N

& 1921 HOPE ST

Parcel
Features

Parcels

Thoroughfare Plan

Expressway

Major Arterial

Proposed Major Arterial

Minor Arterial

Proposed Minor Arterial

Collector

Proposed Collector

Trails Master Plan

EXISTING, CITY WIDE SPINE

PROPOSED, CITY WIDE SPINE

PROPOSED, COMMUNITY WIDE CONNECTOR

PROPOSED, LOCAL CONNECTOR

EXISTING, COMMUNITY WIDE CONNECTOR

EXISTING, LOCAL CONNECTOR

PRODUCTION.SDE

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Irbarrett

Date: 12/6/2017





PD SF3 & AG
to PD SFA-3

UTILITY MAP

Zoning Case :
Z-FY-18-04

Address :
1880 E AVE N
& 1921 Hope St

Sewer

● Manhole

— Gravity Main

WaterDistribution

✚ Hydrant

— Main

Parcel Features

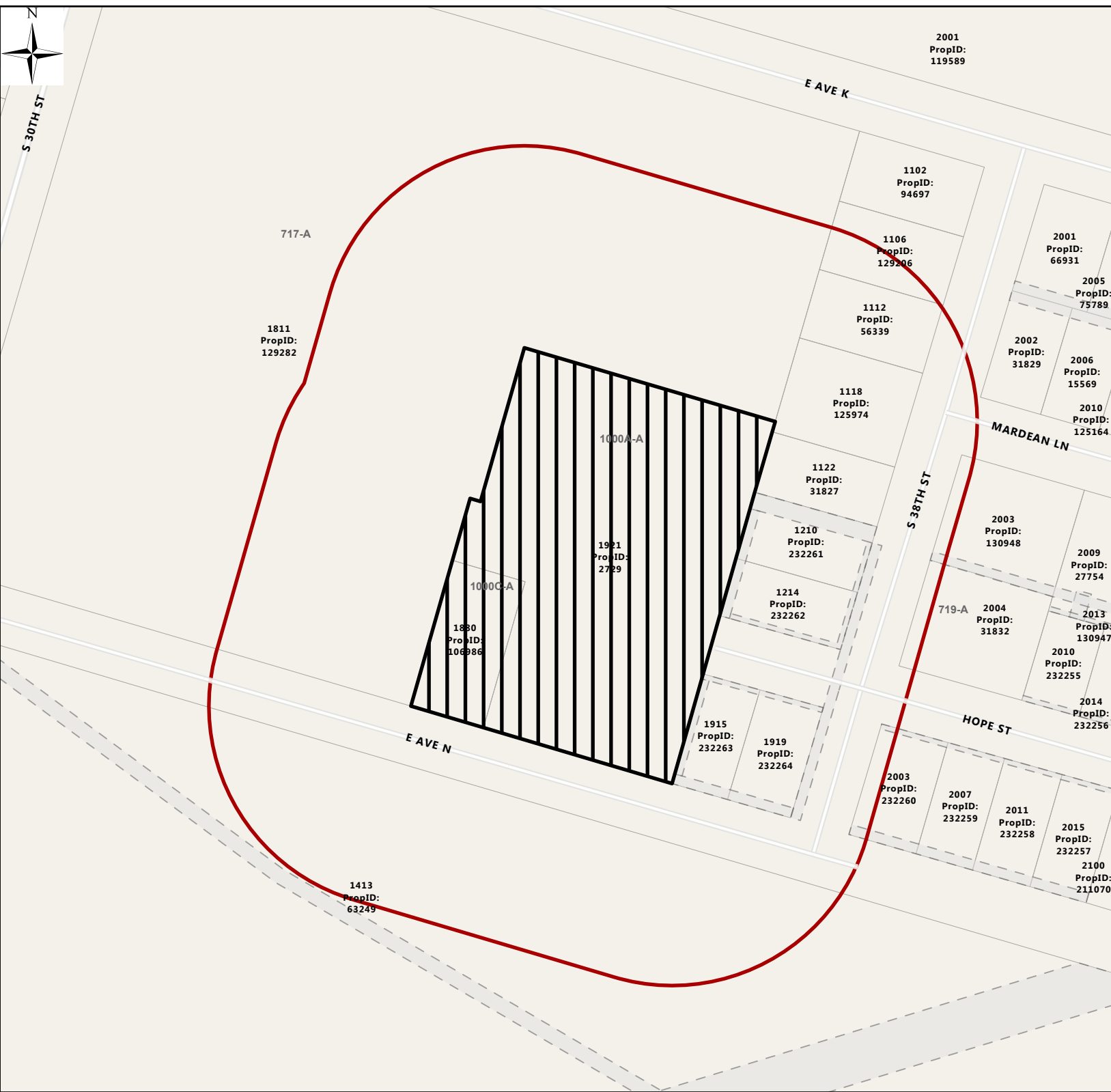
□ Parcels

□ Production.SDE.Easement

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Irbarrett
Date: 12/6/2017






PD SF3 & AG to PD SFA-3

200' NOTIFICATION MAP

Zoning Case :
Z-FY-18-04

Address :
1880 E Ave N
& 1921 Hope St

 Production.SDE.Easement

GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.

Irbarrett
Date: 12/6/2017





**RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE**

FORT HOOD AREA HABITAT FOR HUMANITY INC
2601 ATKINSON AVE
KILLEEN, TX 76543-4020

Zoning Application Number: Z-FY-18-04

Case Manager: Lynn Barrett

Location: East Avenue N, west of 38th Street and Hope Street, and addressed as 1880 E Avenue N and 1921 Hope Street

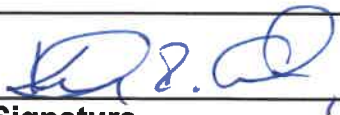
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice, and provide any additional comments you may have.

I ☒ agree

() disagree with this request

Comments:

FULLY SUPPORT THIS REZONING REQUEST.

 CEO

Signature

KENNETH R. GATES

Print Name

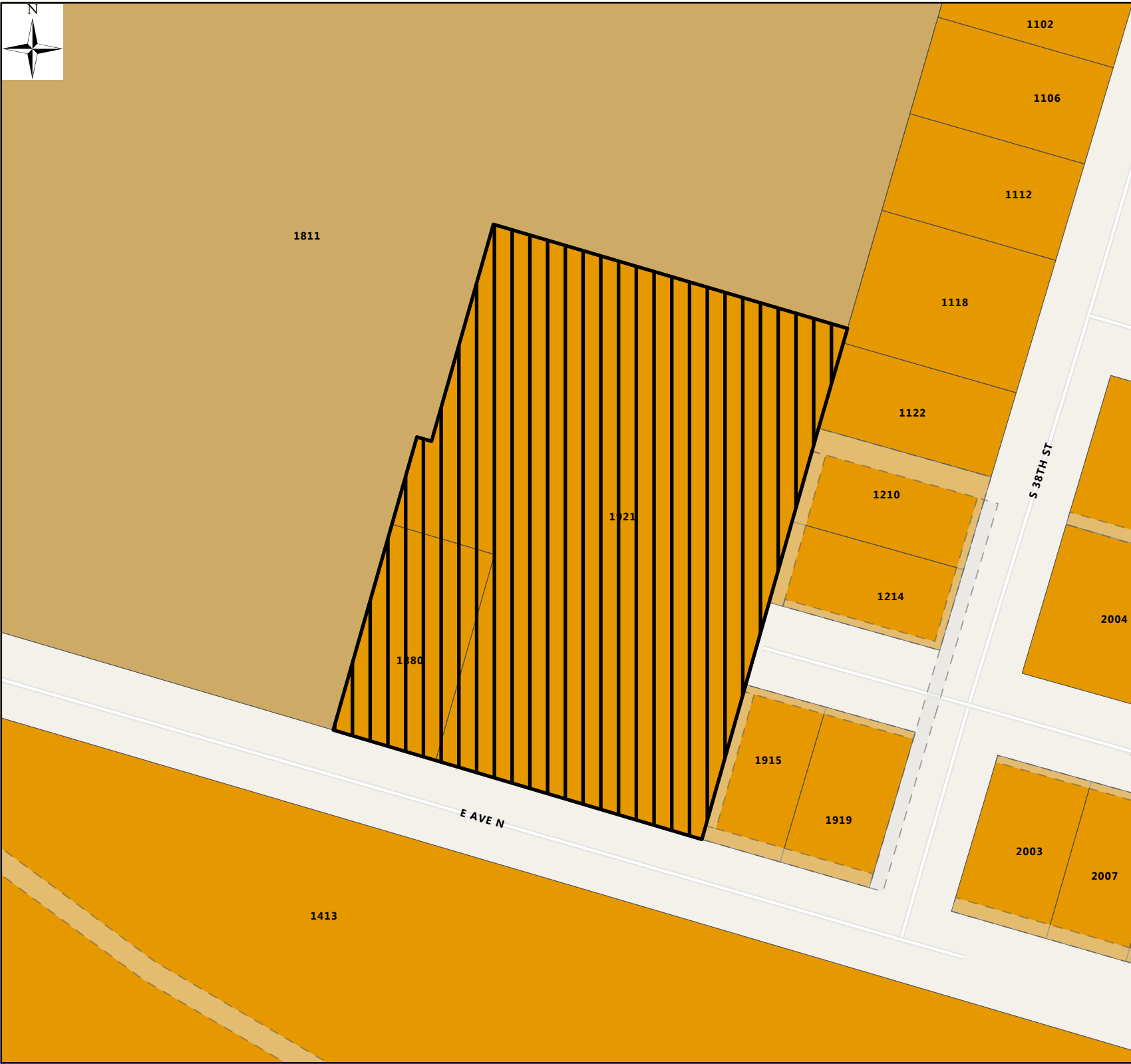
If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, lrbarrrett@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **December 18, 2017**.

**City of Temple
Planning Department
2 North Main Street, Suite 102
Temple, Texas 76501**

Number of Notices Mailed: 15

Date Mailed: December 7, 2017

OPTIONAL: Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



PD SF3 & AG
TO PD SFA-3
FUTURE LAND
USE MAP

Zoning Case :

Z-FY-18-04

Address :

1880 E AVE N
& 1921 HOPE ST

Transportation

- EXPRESSWAY
- MAJOR ARTERIAL
- COLLECTOR
- LOCAL STREET
- MINOR ARTERIAL
- PRIVATE
- RAMP

Parcel Features

- Parcels
- Future LUP
 - Agricultural/Rural
 - Auto-Urban Commercial
 - Auto-Urban Mixed Use
 - Auto-Urban Multi-Family
 - Auto-Urban Residential
 - Business Park
 - Estate Residential
 - Industrial
 - Neighborhood Conservation
 - Parks & Open Space
 - Public Institutional
 - Suburban Commercial
 - Suburban Residential
 - Temple Medical Education District
 - Urban Center
 - Production.SDE.Easement

GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.

Irbarrett

Date: 12/6/2017



ORDINANCE NO. _____
(Z-FY-18-04)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM PLANNED DEVELOPMENT SINGLE FAMILY DWELLING THREE AND AGRICULTURAL ZONING DISTRICT TO PLANNED DEVELOPMENT-SINGLE FAMILY ATTACHED THREE ZONING DISTRICT WITH A SITE DEVELOPMENT PLAN ON APPROXIMATELY 2.50 ACRES, SITUATED IN THE MAXIMO MORENO SURVEY, ABSTRACT NO. 14, BELL COUNTY, TEXAS, LOCATED ON EAST AVENUE N, WEST OF 38TH STREET AND HOPE STREET, AND ADDRESSED AS 1880 EAST AVENUE N AND 1921 HOPE STREET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant has requested a rezoning from the Agricultural and Planned Development Single Family Dwelling Three zoning districts to the Planned Development Single Family Attached Three zoning district to allow for a 26 lot, 13 unit, single family attached development;

Whereas, the applicant envisions that the properties would be purchased by veterans and is presenting their ideas to community and state stakeholders for funding and is applying for City incentives - the subject property is currently vacant, unplatted and located along East Avenue N and is located on two lots totaling approximately 2.5 acres;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, recommends approval of the rezoning and Site Development Plan from Planned Development Single Family Dwelling Three and Agricultural zoning districts to Planned Development-Single Family Attached Three zoning district, with a site development plan on approximately 2.50 acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located on East Avenue N, west of 38th Street and Hope Street, and addressed as 1880 East Avenue N and 1921 Hope Street; and

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: The City Council approves a rezoning from Planned Development Single Family Dwelling Three and Agricultural zoning districts to Planned Development-Single Family Attached Three zoning district, with a site development plan on approximately 2.50 acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located on East Avenue N, west of 38th Street and Hope Street, and addressed as 1880 East Avenue N and 1921 Hope Street, as more thoroughly described by the development/site plan attached hereto as Exhibit 'A,' and made a part hereof for all purposes along with the following conditions:

1. Substantial compliance with attached Site/Development Plan (Exhibit A);
2. 10-foot side setbacks between the two-family units on lots, each of the attached homes shares a common firewall;
3. Lots for each attached unit will measure 25 feet in width, 115 to 80 feet deep and contain a single family attached home with a 10-foot setback on one side and a zero lot line on the attached dwelling unit side;
4. Community Center for residents will be provided;
5. A community HOA will maintain the properties.

Part 3: The City Council approves the Site Development Plan attached hereto as Exhibit ‘A,’ and made a part hereof for all purposes.

Part 4: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

Part 5: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 6: This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 7: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **18th** day of **January**, 2018.

PASSED AND APPROVED on Second Reading on the **1st** day of **February**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Items #11(A-C)
Regular Agenda
Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Tammy Lyerly, Senior Planner

ITEM DESCRIPTIONS: Consider adopting ordinances:

- (A) FIRST READING – Z-FY-18-05: Consider adopting an ordinance rezoning from Commercial to Multi-Family Two on 16.127 +/- acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located South of Loop 363, West of South 5th Street, and East of Lowe's Drive.
- (B) FIRST READING – Z-FY-18-06: Consider adopting an ordinance rezoning from Commercial to Multi-Family Two on 15.931 +/- acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located South of Loop 363, West of South 5th Street, and East of Lowe's Drive.
- (C) FIRST READING – Z-FY-18-07: Consider adopting an ordinance rezoning from Commercial to Multi-Family Two on 3.00 +/- acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located South of Loop 363, West of South 5th Street, and East of Lowe's Drive.

PLANNING AND ZONING COMMISSION RECOMMENDATION: At its December 18, 2017, meeting the Planning and Zoning Commission voted seven to zero, to recommend approval of the requested rezoning from Commercial (C) to Multi-Family Two (MF-2) for **Z-FY-18-05, Z-FY-18-06, and Z-FY-18-07**, per Staff's recommendation.

STAFF RECOMMENDATION: Staff recommends the **Public Hearing at Second Reading on February 1, 2018 for Z-FY-18-05, Z-FY-18-06, and Z-FY-18-07; and** approval of the requested rezonings from Commercial (C) District to Multi-Family Two (MF-2) District for the following reasons:

- 1. Compliance with surrounding zoning and land uses;
- 2. Compliance with the Thoroughfare Plan; and
- 3. Compliance with availability of public facilities to serve the subject property

ITEM SUMMARY: The applicant requests these rezonings from Commercial (C) to Multi-Family Two (MF-2) to allow future multifamily development and other residential uses. This rezoning request proposes to expand the existing MF-2 District at the dead-end at South 13th Street, at the Lowe's store, to the existing MF-2 District established for the Encore Apartments along Marlandwood Road.

Although the current Commercial zoning district allows several types of single-family and multi-family uses, such as duplexes, it does not allow apartments.

The purpose of the MF-2 zoning district is to allow more modest sized dwelling units and an increased number of units within the multifamily complex. Maximum density is 20 units per acre in buildings three to four stories. The MF-2 zoning district provides more modest sized dwelling units within the multifamily complex. This district should be designed for a higher density use of the land with the amenities and facilities, such as a major thoroughfare, parks, transit, and utilities close by and adequate for the volume of use. The MF-2 zoning district allows most residential uses, including duplexes and excluding manufactured homes. It also allows some residential support uses such as school and places of worship.

COMPREHENSIVE PLAN COMPLIANCE: The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan:

Future Land Use and Character Plan (FLUP) (CP Map 3.1)

The subject properties are within the **Auto-Urban Commercial** and **Suburban Commercial**, and **Parks & Open Space** character districts of the *Choices '08* City of Temple Comprehensive Plan. The applicant's MF-2 rezoning requests do not comply with these character districts, but **this request would bridge the gap between adjacent MF-2 Districts to the north and south**. This request also is compatible with the surrounding uses, especially with the **Barrington Suites & Apartments** to the north on South 13th Street and with the **Encore Landing Apartment Homes** to the south along Marlandwood Road.

Thoroughfare Plan (CP Map 5.2) and Temple Trails Master Plan Map and Sidewalk Ordinance

South 13th Street, near the property within Z-FY-18-07, is a local street. Multi-family developments and other residential uses are appropriate along local streets. **Lowes Drive**, adjacent to the property within Z-FY-18-05, is a collector. Collectors are appropriate for entryways into multi-family developments such as apartments and other types of residential subdivisions. Staff anticipates discussing additional thoroughfare options during the future platting process for the subject properties.

Availability of Public Facilities (CP Goal 4.1)

An existing 8-inch water line is located within the east right-of-way of South 13th Street, an existing 6-inch and 8-inch water line along the north property line of Z-FY-18-05, located along the southern property line of the Lowes store. A 12-inch water line extends across to the east side of Lowes Drive from the south right-of-way of Azalea Drive, near Wal-Mart.

Existing sewer lines are located within the west right-of-way of South 13th Street and along the north property line of Z-FY-18-07. Another sewer line exists along the east property line of Z-FY-18-06 at Friar's Creek.

Proposed City Council Meeting Schedule

This item is tentatively scheduled for a City Council public hearing (first reading) on January 18, 2018. The second reading of City Council is tentatively scheduled for February 1, 2018.

PUBLIC NOTICE: Eleven notices for **Z-FY-18-05**; nine notices for **Z-FY-18-06**, and thirteen notices for **Z-FY-18-07** of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance.

As of Thursday, December 14, 2017, **one notice for Z-FY-18-05; two notices for Z-FY-18-06; and two notices for Z-FY-18-07** have been received in favor of the proposed rezonings and no notices have been returned in opposition to the proposed rezonings.

The newspaper printed notice of the public hearing for the Planning and Zoning Commission meeting on December 7, 2017, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable




ATTACHMENTS:

[Site and Surrounding Property Photos](#)
[Combined Cases Map](#)
[Location maps with Aerial](#)
[Zoning Maps](#)
[Future Land Use and Character Maps](#)
[Thoroughfare Maps](#)
[Utility Maps](#)
[Notification Maps](#)
[Development Regulations](#)
[Surrounding Property and Uses](#)
[Comprehensive Plan Compliance](#)
[Notification Response Letters](#)
[Ordinances](#)




SURROUNDING PROPERTY AND USES:

The following table shows the subject property, existing zoning and current land uses:

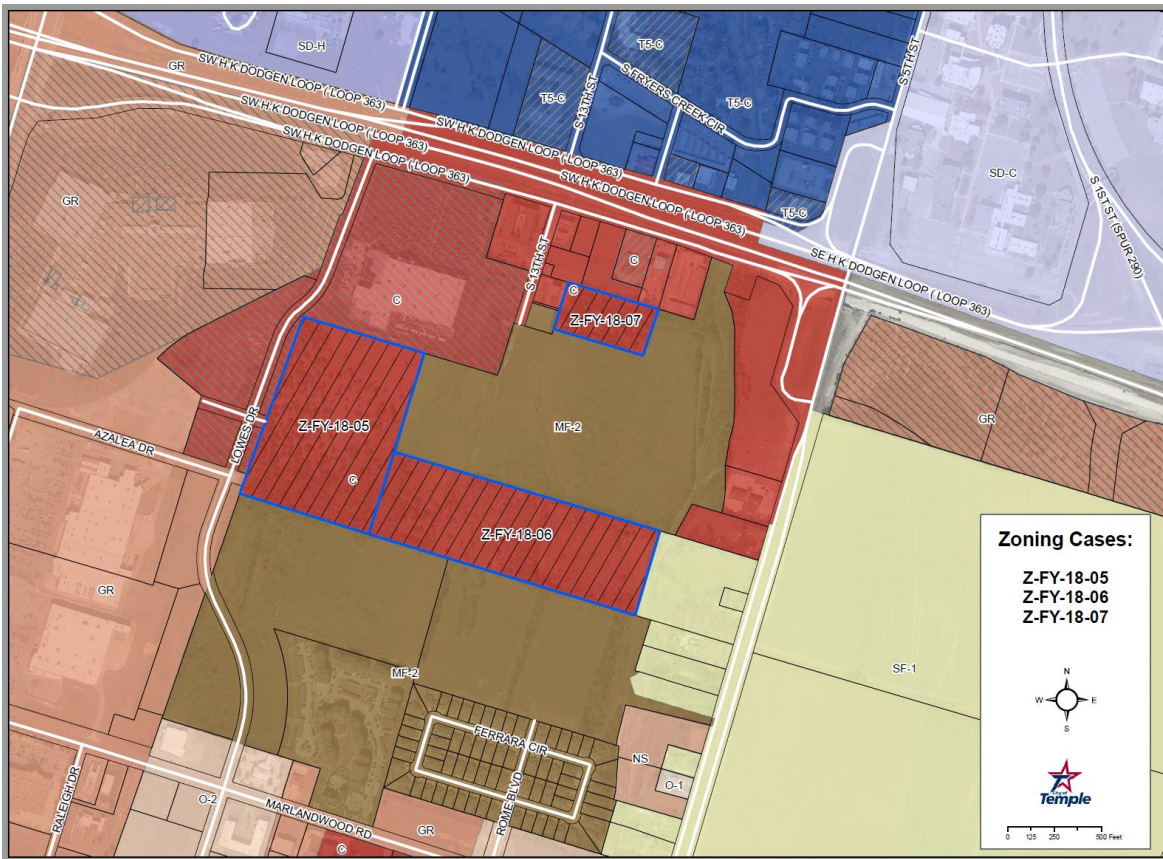
Direction	Zoning	Current Land Use	Photo
Subject Property	C	Undeveloped Property	 <p>Lowes Drive</p> <p>Z-FY-18-05 Site</p> <p>A yellow sign with black text reads: "PROPOSED LAND USE CASE", "Loop 363, 18-05", "For information, call 469-238-5668". The sign is placed in a grassy area next to a paved road labeled "Lowes Drive".</p>
			 <p>Z-FY-18-05 & Z-FY-18-06 Sites</p> <p>Lowes Drive</p> <p>A black sign with white text reads: "Z-FY-18-05 & Z-FY-18-06 Sites". The sign is located at the intersection of a paved road labeled "Lowes Drive" and a wooded area. Red and white striped construction barriers are visible in the background.</p>
			 <p>Loop 363</p> <p>Z-FY-18-07 Site</p> <p>A photograph showing a wooded area. A white arrow points from the text "Loop 363" to a road in the distance. Another white arrow points from the text "Z-FY-18-07 Site" to a small yellow sign in the grass. A red building is partially visible on the left.</p>

Direction	Zoning	Current Land Use	Photo
East	C, MF-2 & SF-1	Undeveloped Property & Single- Family Residential	 <p>Looking east toward S. 5th Street</p>
West	C & MF-2	Retail, Commercial, & Undeveloped Property	 <p>Lowes Drive</p>  <p>Lowes</p> <p>S. 13th St</p>

Direction	Zoning	Current Land Use	Photo
West	C & MF-2	Retail, Commercial, & Undeveloped Property	
South	C, MF-2, & SF-1	Undeveloped Property & Personal Service	 <p>Encore Apartments</p>
			 <p>Lowes Drive</p>

Direction	Zoning	Current Land Use	Photo
North	C & MF-2	Retail, Commercial & Undeveloped Land	
			
			

Direction	Zoning	Current Land Use	Photo
North			 <p>Back of Lowes</p>
			 <p>Lowes Drive</p>



C TO MF-2

AERIAL MAP

Zoning Case :
Z-FY-18-05

Address :
3100 Lowes Dr

- Temple Municipal Boundary
- Parcel Features
- Parcels
- Production/SDE/Easement
- CaseArea

GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.

tlyerly
Date: 12/5/2017





C TO MF-2

AERIAL MAP

Zoning Case :
Z-FY-18-06

Address :
3322 S. 5th St.

Temple Municipal Boundary

Parcel Features

Parcels

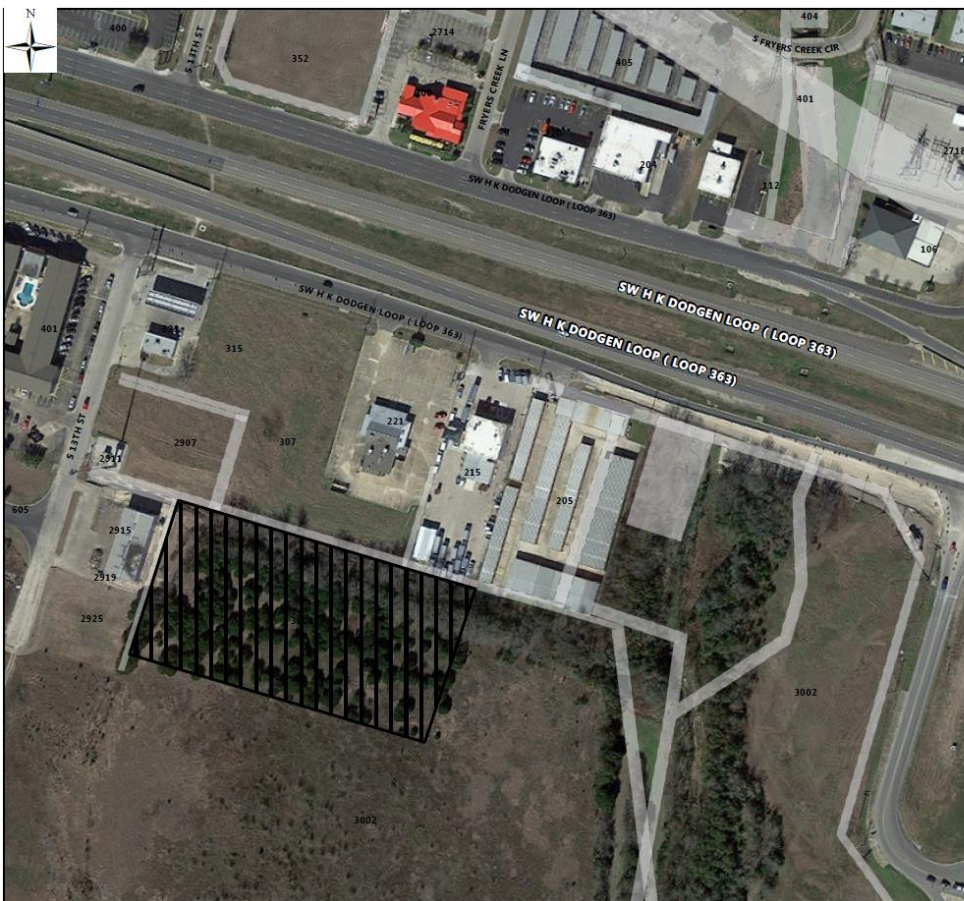
Production.SDE.Easement

CaseArea

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Date: 12/6/2017



AG TO MF-2

AERIAL MAP

Zoning Case :
Z-FY-18-07

Temple Municipal Boundary

Parcel Features

Parcels

Production.SDE.Easement

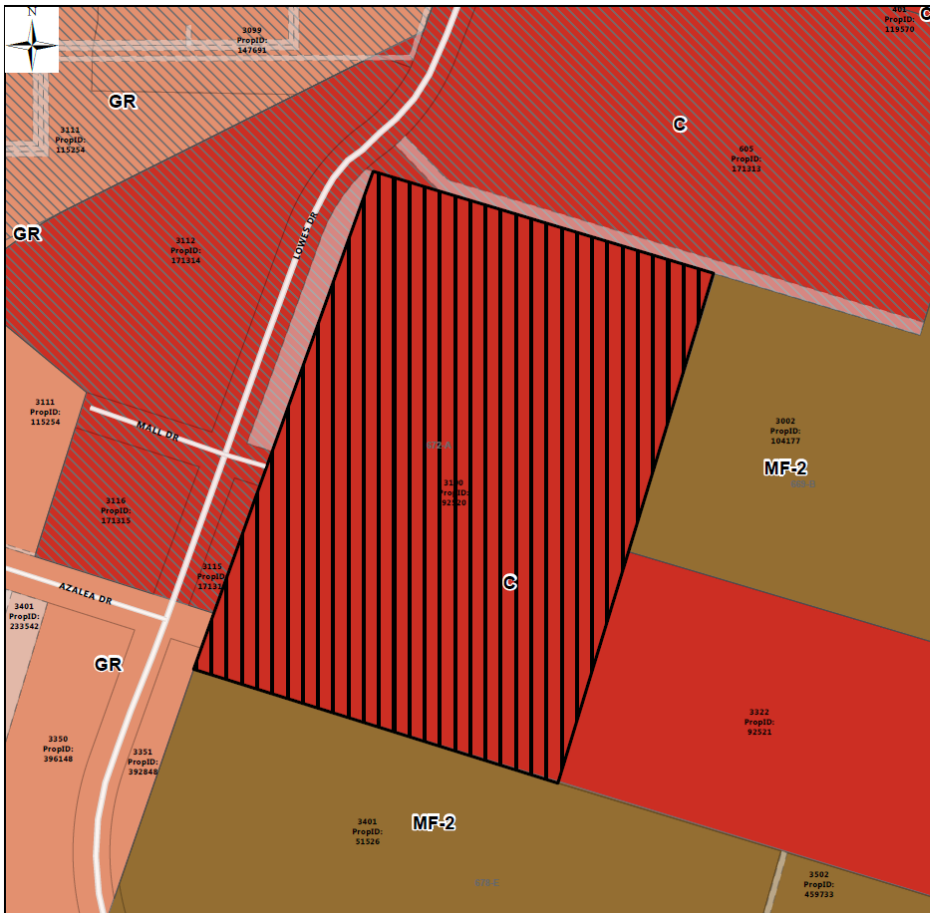
CaseArea

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Date: 11/30/2017





C TO MF-2

Z-FY-18-05

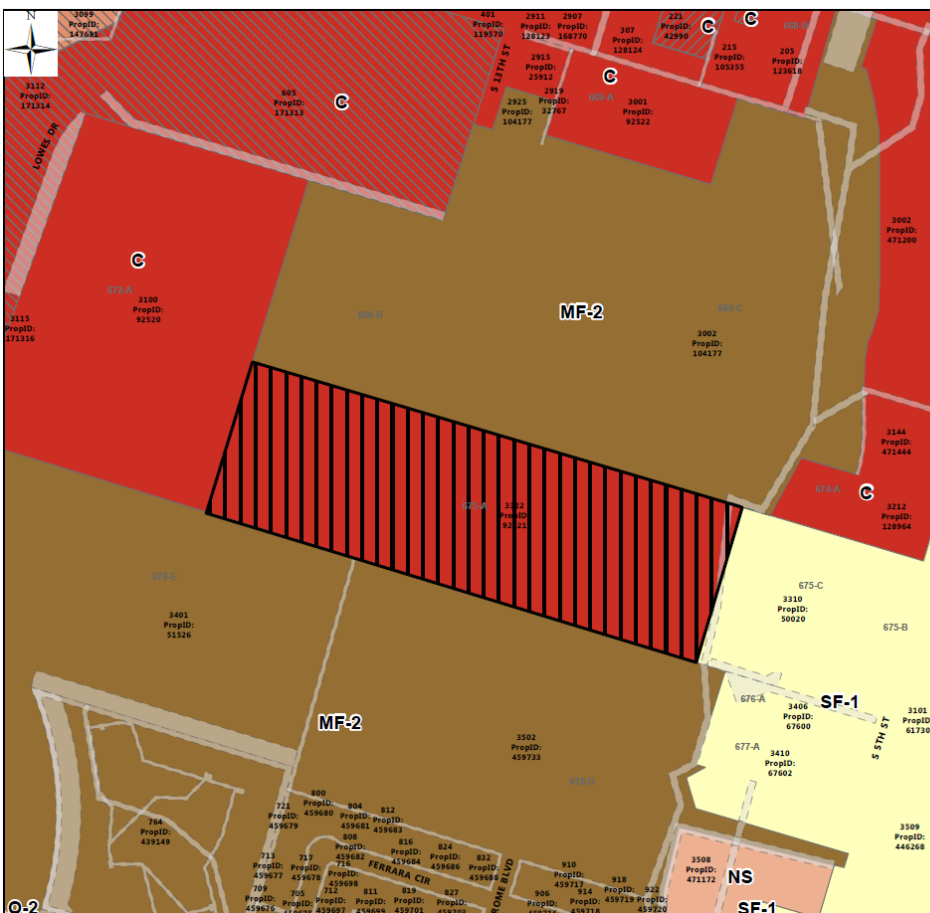
Address : 3100 Lowes Dr

CurrentZoning	O-1	AG - CLP
HE - CLP	O-1 - CLP	MH
UE	O-1 - PD	MH - CLP
UE - PD	O-2	MH - PD
SF-1	O-2 - CLP	MU
SF-1 - CLP	O-2 - PD	MU - CLP
SF-1 - PD	NS	SD-C
SF-2	NS - CLP	SD-C - CLP
SF-2 - PD	NS - PD	SDH
SF-3	GR	SDH - CLP
SF-3 - PD	GR - CLP	SD-T
SF-3 - CLP, PD	GR - PD	SD-V
SFA	GR - CLP, PD	T4
SFA-2	CA	T4 - PD
SFA-2 - PD	CA - CLP	T4 - CLP
SFA-3	CA - PD	TS-C
SFA-3 - PD	C	TS-C - CLP
2F	C - CLP	TS-C - PD
2F - PD	C - PD	TS-E
2F - CLP	C - CLP, PD	TS-E - CLP
MF-1	LI	TS-E - PD
MF-1 - CLP	LI - CLP	NO BASE
MF-1 - PD	LI - PD	CLP
MF-2	LI - CLP, PD	PD
MF-2 - CLP	HE	Production SDE Easement
MF-2 - PD	HE - PD	CaseArea
MF-3 - PD	AG	

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Date: 12/5/2017



C TO MF-2

Zoning Case :
Z-FY-18-06

Address :
3322 S. 5th St

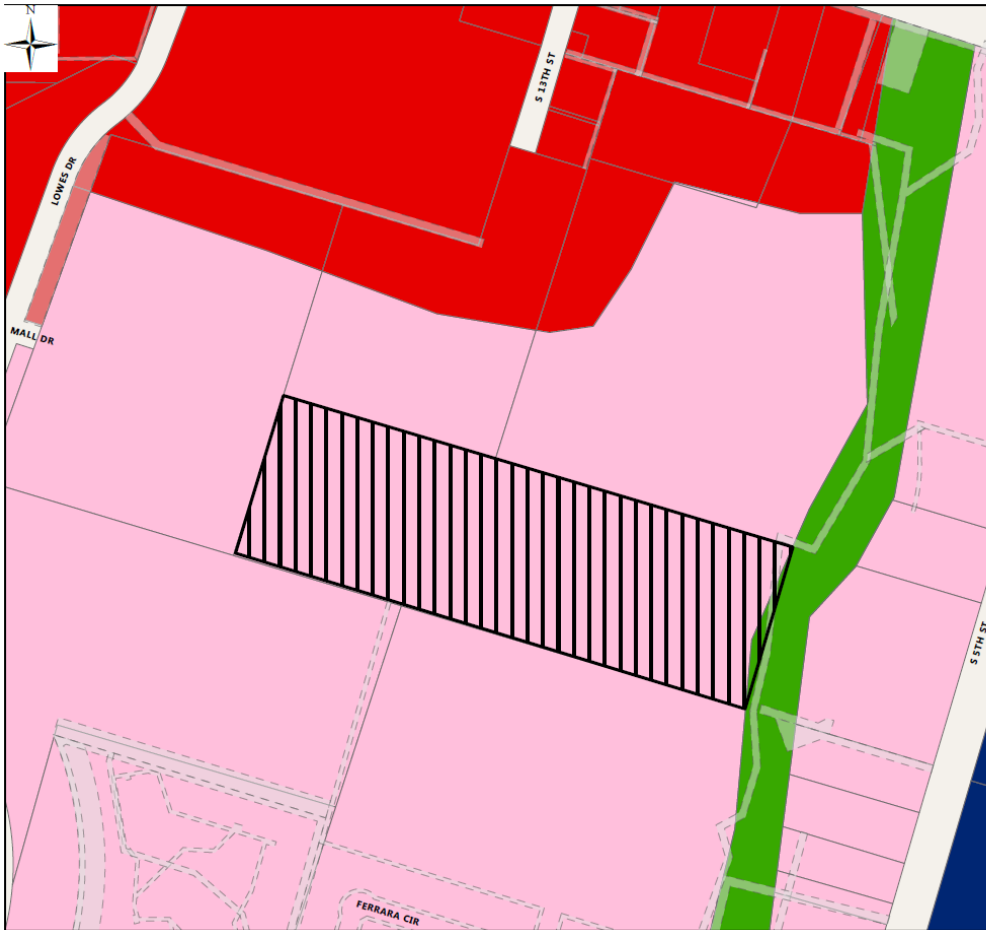
CurrentZoning	O-1	AG - CLP
HE - CLP	O-1 - CLP	MH
UE	O-1 - PD	MH - CLP
UE - PD	O-2	MH - PD
SF-1	O-2 - CLP	MU
SF-1 - CLP	O-2 - PD	MU - CLP
SF-1 - PD	NS	SD-C
SF-2	NS - CLP	SD-C - CLP
SF-2 - PD	NS - PD	SDH
SF-3	GR	SDH - CLP
SF-3 - PD	GR - CLP	SD-T
SF-3 - CLP, PD	GR - PD	SD-V
SFA	GR - CLP, PD	T4
SFA-2	CA	T4 - PD
SFA-2 - PD	CA - CLP	T4 - CLP
SFA-3	CA - PD	TS-C
SFA-3 - PD	C	TS-C - CLP
2F	C - CLP	TS-C - PD
2F - PD	C - PD	TS-E
2F - CLP	C - CLP, PD	TS-E - CLP
MF-1	LI	TS-E - PD
MF-1 - CLP	LI - CLP	NO BASE
MF-1 - PD	LI - PD	CLP
MF-2	LI - CLP, PD	PD
MF-2 - CLP	HE	Production SDE Easement
MF-2 - PD	HE - PD	CaseArea
MF-3 - PD	AG	

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Date: 12/6/2017





C TO MF-2 FUTURE LAND USE MAP

Zoning Case :
Z-FY-18-06
Address :
3322 S. 5th St.

Transportation

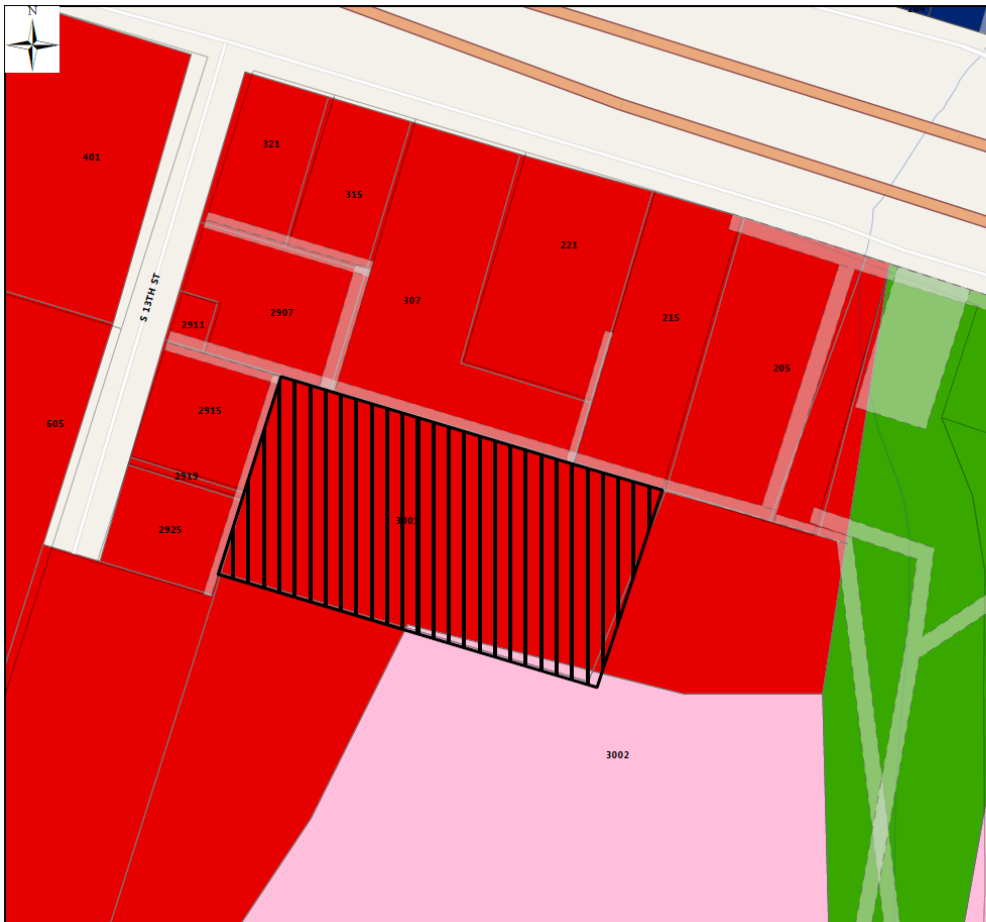
- EXPRESSWAY
- MAJOR ARTERIAL
- COLLECTOR
- LOCAL STREET
- MINOR ARTERIAL
- PRIVATE
- RAMP

Parcel Features

- Parcels
- Future LUP
- Agricultural/Rural
- Auto-Urban Commercial
- Auto-Urban Mixed Use
- Auto-Urban Multi-Family
- Auto-Urban Residential
- Business Park
- Estate Residential
- Industrial
- Neighborhood Conservation
- Parks & Open Space
- Public Institutional
- Suburban Commercial
- Suburban Residential
- Temple Medical Education District
- Urban Center
- Production SDE Easement
- CaseArea

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Date: 12/6/2017



C To MF-2 FUTURE LAND USE MAP

Zoning Case :
Z-FY-18-07

Transportation

- EXPRESSWAY
- MAJOR ARTERIAL
- COLLECTOR
- LOCAL STREET
- MINOR ARTERIAL
- PRIVATE
- RAMP

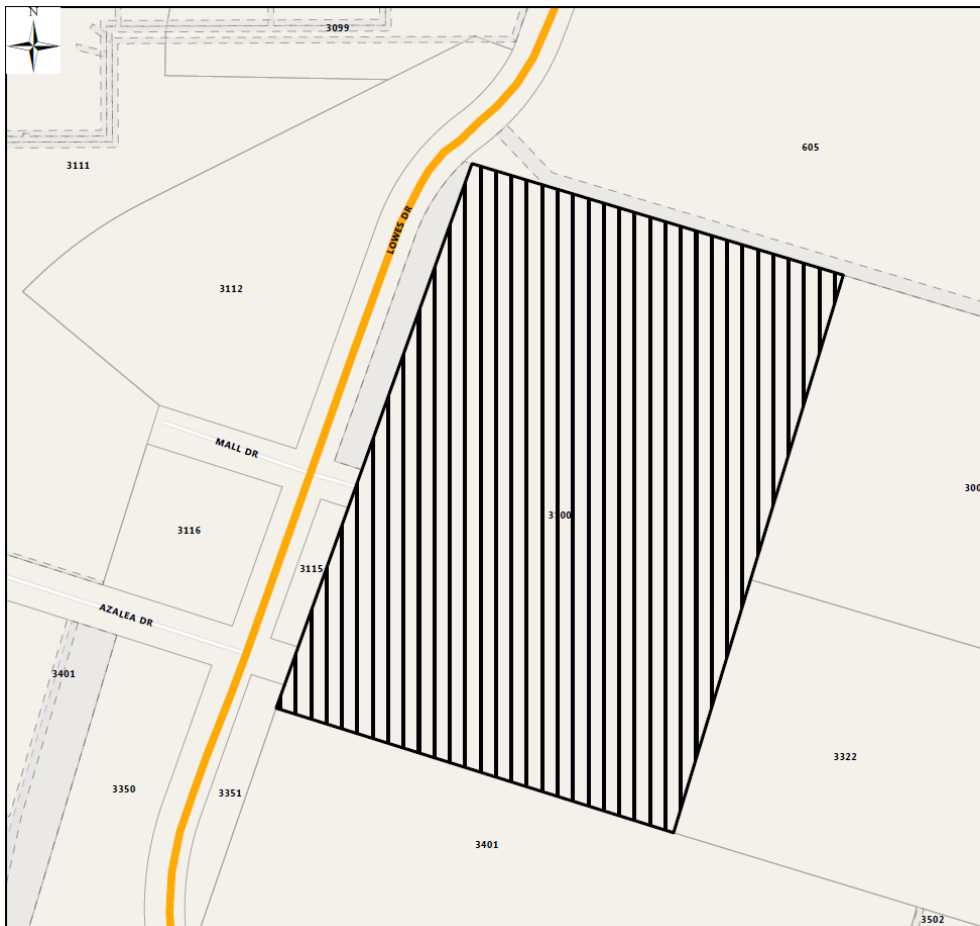
Parcel Features

- Parcels
- Future LUP
- Agricultural/Rural
- Auto-Urban Commercial
- Auto-Urban Mixed Use
- Auto-Urban Multi-Family
- Auto-Urban Residential
- Business Park
- Estate Residential
- Industrial
- Neighborhood Conservation
- Parks & Open Space
- Public Institutional
- Suburban Commercial
- Suburban Residential
- Temple Medical Education District
- Urban Center
- Production SDE Easement
- CaseArea

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tlyerly
Date: 11/29/2017





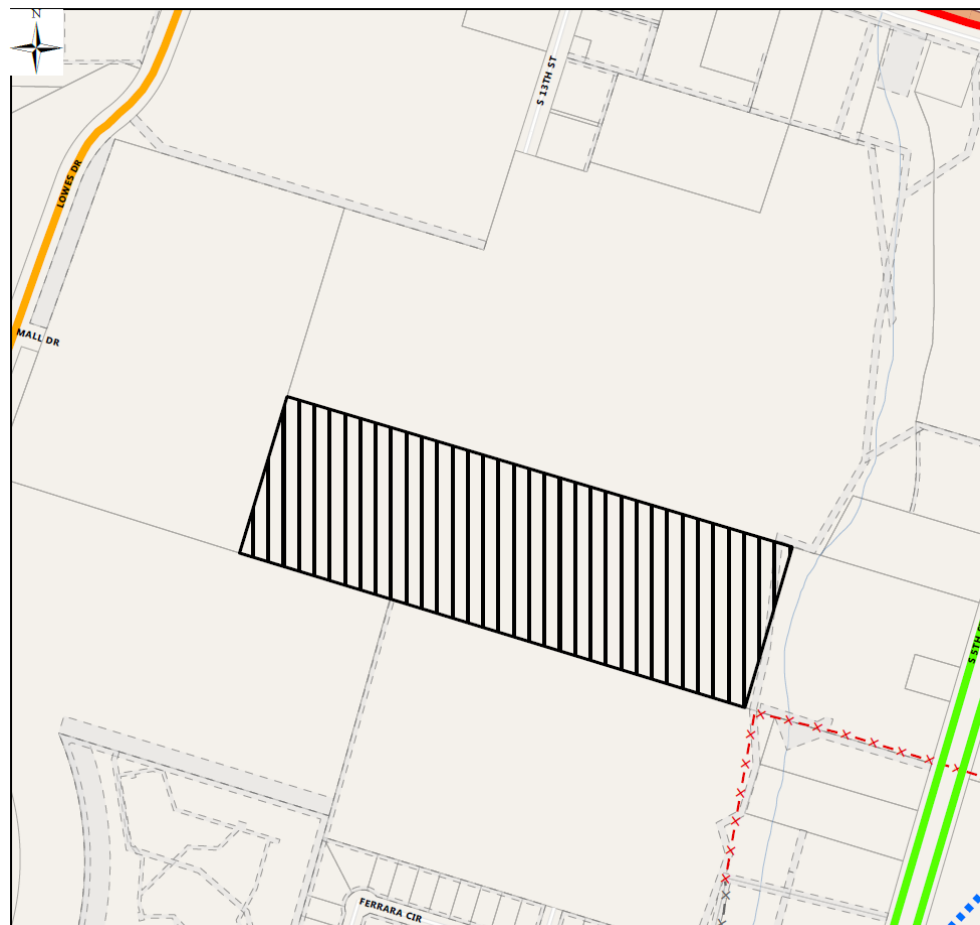
C TO MF-2
THOROUGHFARE
AND TRAILS MAP
Z-FY-18-05
Address :
3100 Lowes Dr

Parcel Features

- Parcels
- Thoroughfare Plan
 - Expressway
 - Major Arterial
 - Proposed Major Arterial
 - Minor Arterial
 - Proposed Minor Arterial
 - Collector
 - Proposed Collector
- Trails Master Plan
 - EXISTING, CITY WIDE SPINE
- EXISTING, COMMUNITY WIDE CONNECTOR
- EXISTING, LOCAL CONNECTOR
- PROPOSED, CITY WIDE SPINE
- PROPOSED, COMMUNITY WIDE CONNECTOR
- PROPOSED, LOCAL CONNECTOR
- Production.SDE
- CaseArea

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Date: 12/5/2017



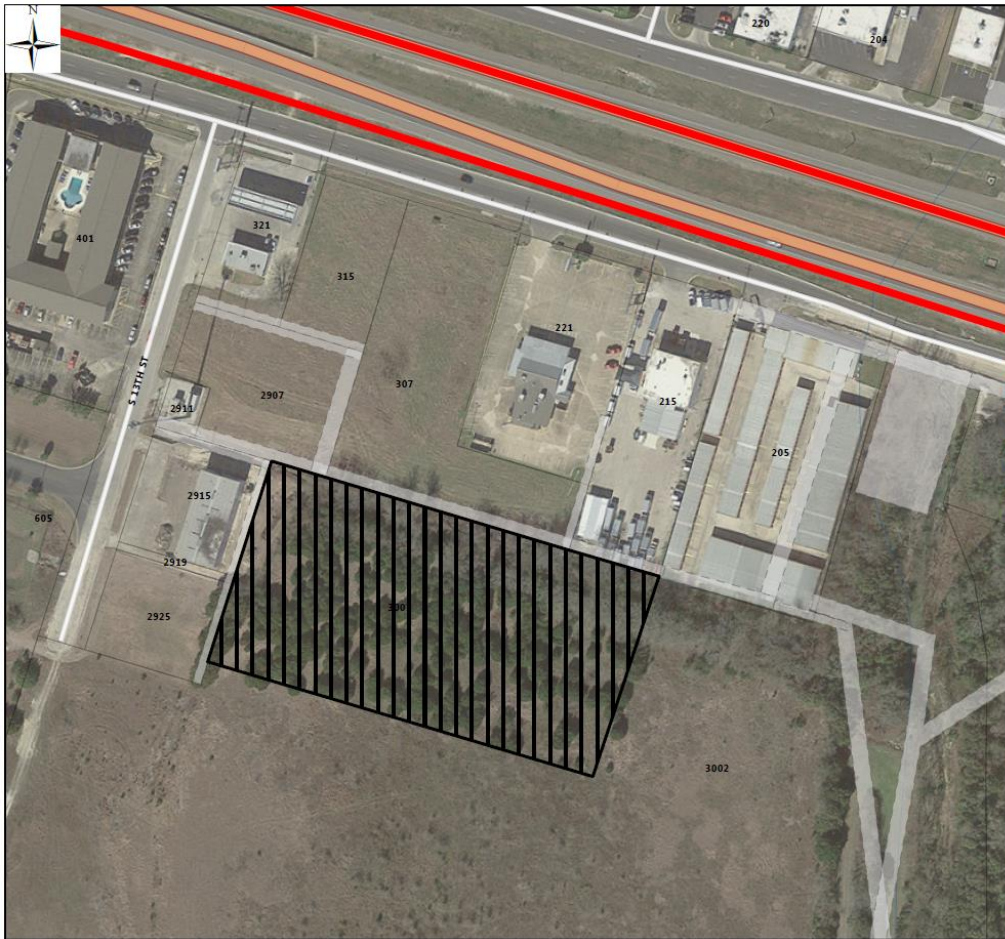
C TO MF-2
THOROUGHFARE
AND TRAILS MAP
Zoning Case :
Z-FY-18-06
Address :
3322 S. 5th St.

Parcel Features

- Parcels
- Thoroughfare Plan
 - Expressway
 - Major Arterial
 - Proposed Major Arterial
 - Minor Arterial
 - Proposed Minor Arterial
 - Collector
 - Proposed Collector
- Trails Master Plan
 - EXISTING, CITY WIDE SPINE
- EXISTING, COMMUNITY WIDE CONNECTOR
- EXISTING, LOCAL CONNECTOR
- PROPOSED, CITY WIDE SPINE
- PROPOSED, COMMUNITY WIDE CONNECTOR
- PROPOSED, LOCAL CONNECTOR
- Production.SDE
- CaseArea

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Date: 12/6/2017



C To MF-2 THOROUGHFARE AND TRAILS MAP

Zoning Case :
Z-FY-18-07

- Parcel Features**
- Parcels
 - Thoroughfare Plan
 - Expressway
 - Major Arterial
 - Proposed Major Arterial
 - Minor Arterial
 - Proposed Minor Arterial
 - Collector
 - Proposed Collector
 - Trails Master Plan
 - EXISTING, CITY WIDE SPINE
 - EXISTING, COMMUNITY WIDE CONNECTOR
 - EXISTING, LOCAL CONNECTOR
 - PROPOSED, CITY WIDE SPINE
 - PROPOSED, COMMUNITY WIDE CONNECTOR
 - PROPOSED, LOCAL CONNECTOR
 - Production.SDE
 - CaseArea

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tlyerly
Date: 11/30/2017



C TO MF-2

UTILITY MAP

Zoning Case :
Z-FY-18-05

Address :
3100 Lowes Dr
Sewer

- Manhole
- Gravity Main
- Water Distribution
 - Hydrant
 - Main

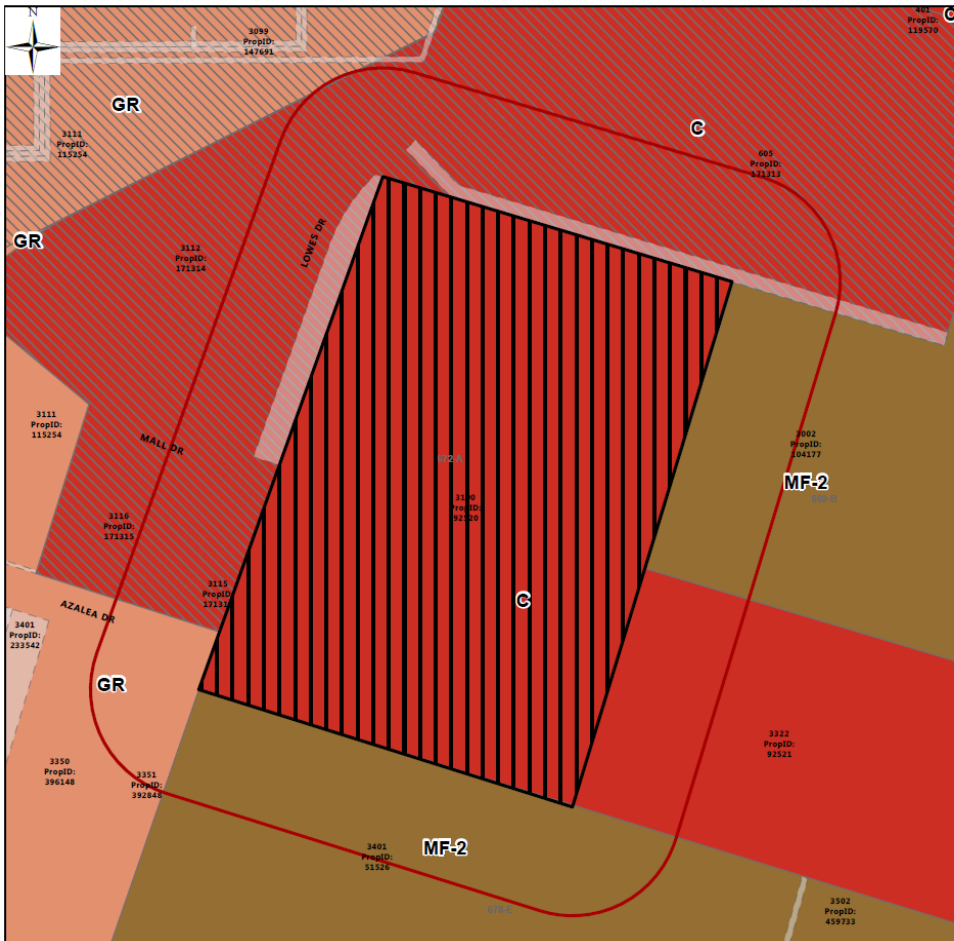
- Parcel Features**
- Parcels
 - Production.SDE.Easement
 - CaseArea

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tlyerly
Date: 12/5/2017







C TO MF-2

200'

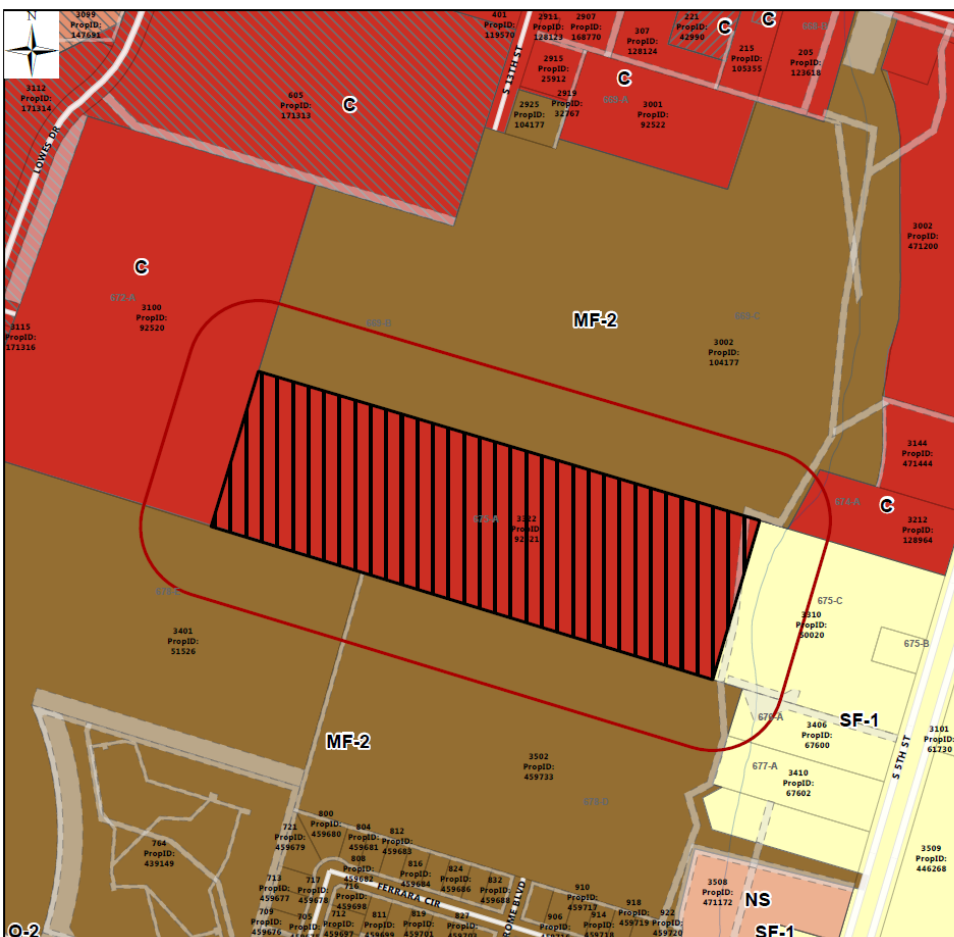
NOTIFICATION MAP

Address : 3100 Lowes Dr

CurrentZoning	O-1 - CLP	MH - CLP
HE - CLP	O-1 - PD	MH - PD
UE	O-2	MU
UE - PD	O-2 - CLP	MU - CLP
SF-1	O-2 - PD	SD-C
SF-1 - CLP	NS	SD-C - CLP
SF-1 - PD	NS - CLP	SD-H
SF-2	NS - PD	SD-H - CLP
SF-2 - PD	GR	SD-T
SF-3	GR - CLP	SD-V
SF-3 - CLP	GR - PD	T4
SF-3 - CLP, PD	GR - CLP, PD	T4 - PD
SFA	CA	T4 - CLP
SFA-2	CA - CLP	TS-C
SFA-2 - PD	CA - PD	TS-C - CLP
SFA-3	C	TS-C - PD
SFA-3 - PD	C - CLP	TS-E
2F	C - PD	TS-E - CLP
2F - CLP	C - CLP, PD	TS-E - PD
2F - PD	LI	NO BASE
ME-1	LI - CLP	CLP
MF-1 - CLP	LI - PD	PD
MF-1 - PD	LI - CLP, PD	Production, SDE Easement
MF-2		CaseArea
MF-2 - CLP	HE - PD	200Buffer
MF-2 - PD	AG	
MF-3 - PD	AG - CLP	
O-1	MH	

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tylerly
Date: 12/5/2017



C TO MF-2

200'

NOTIFICATION MAP

Zoning Case :
Z-FY-18-06
Address :
3322 S. 5th St

CurrentZoning	O-1 - CLP	MH - CLP
HE - CLP	O-1 - PD	MH - PD
UE	O-2	MU
UE - PD	O-2 - CLP	MU - CLP
SF-1	O-2 - PD	SD-C
SF-1 - CLP	NS	SD-C - CLP
SF-1 - PD	NS - CLP	SD-H
SF-2	NS - PD	SD-H - CLP
SF-2 - PD	GR	SD-T
SF-3	GR - CLP	SD-V
SF-3 - CLP	GR - PD	T4
SF-3 - CLP, PD	GR - CLP, PD	T4 - PD
SFA	CA	T4 - CLP
SFA-2	CA - CLP	TS-C
SFA-2 - PD	CA - PD	TS-C - CLP
SFA-3	C	TS-C - PD
SFA-3 - PD	C - CLP	TS-E
2F	C - PD	TS-E - CLP
2F - CLP	C - CLP, PD	TS-E - PD
2F - PD	LI	NO BASE
ME-1	LI - CLP	CLP
MF-1 - CLP	LI - PD	PD
MF-1 - PD	LI - CLP, PD	Production, SDE Easement
MF-2		CaseArea
MF-2 - CLP	HE - PD	200Buffer
MF-2 - PD	AG	
MF-3 - PD	AG - CLP	
O-1	MH	

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tylerly
Date: 12/6/2017



Use Type	Multi-Family Two (MF-2)	Commercial (C)
Agricultural Uses	* Farm, Ranch or Orchard	* Farm, Ranch or Orchard * Animal Shelter (CUP)
Residential Uses	* Single Family Residence (Detached & Attached) * Duplex * Townhouse * Triplex * Apartment * Home for the Aged	* Single Family Residence (Detached & Attached) * Duplex * Townhouse * Industrialized Housing * Family or Group Home (CUP) * Home for the Aged
Retail & Service Uses	* Exercise Gym (CUP)	* All Retail & Service Uses * Veterinary Hosp. (Kennels (CUP)
Commercial Uses	* None	* Bakery / Confectionary * Cabinet Shop * Open Storage of furniture, appliances or machinery
Industrial Uses	* None	* Temporary Asphalt & Concrete Batching Plat (CUP) * Laboratory, medical, dental, scientific or research * Recycling collection location
Recreational Uses	* Park or Playground	* Park or Playground * All Alcohol (On Premise Consumption) > 75% (CUP)
Vehicle Service Uses	* None	* Auto Leasing, Rental * Auto Sales - New & Used * Car Wash * Vehicle Servicing (Minor)
Overnight Accomodations	* Hotel or Motel	* Hotel or Motel

Surrounding Property & Uses			
<u>Direction</u>	<u>Future Land Use Map</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Auto-Urban Commercial, Suburban Commercial, and Parks & Open Space	C	Undeveloped Property
North	Auto-Urban Commercial and Suburban Commercial	C & MF-2	Retail, Commercial, and Undeveloped Property
South	Suburban Commercial and Auto-Urban Commercial	MF-2 & C	Undeveloped Property and Apartments
West	Auto-Urban Commercial and Suburban Commercial	2F, SF-1, & MF-1	Undeveloped Property, Commercial, and Retail
East	Auto-Urban Commercial, Suburban Commercial, and Parks & Open Space	C & SF-1	Undeveloped Property and Single-Family Residential

COMPREHENSIVE PLAN (CP) COMPLIANCE: The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan :

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use Map	No
CP	Map 5.2 - Thoroughfare Plan	Yes
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	Yes

CP = Comprehensive Plan STP = Sidewalk and Trails Plan



**RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE**

MALCIK, ROGER
3406 S 5TH ST
TEMPLE, TX 76502-1910

Zoning Application Number: Z-FY-18-06

Case Manager: Tammy Lyerly

Location: South of Loop 363, West of South 5th Street, and East of Lowe's Drive

The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice, and provide any additional comments you may have.

I ☒ agree

() disagree with this request

RECEIVED

Comments:

Sounds like a good idea —

DEC 14 2017

City of Temple
Planning & Development

Roger Malcik
Signature

Roger Malcik
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, tylerly@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **December 18, 2017**.

**City of Temple
Planning Department
2 North Main Street, Suite 102
Temple, Texas 76501**

Number of Notices Mailed: 9

Date Mailed: December 7, 2017

OPTIONAL: Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



**RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE**

FRIARS RIDGE LTD
3144 S 31ST ST
TEMPLE, TX 76502-1803

Zoning Application Number: Z-FY-18-05

Case Manager: Tammy Lyerly

Location: South of Loop 363, West of South 5th Street, and East of Lowe's Drive

The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice, and provide any additional comments you may have.

I ☒ agree

() disagree with this request

Comments:



Signature



Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, tlyerly@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **December 18, 2017**.

**City of Temple
Planning Department
2 North Main Street, Suite 102
Temple, Texas 76501**

Number of Notices Mailed: 11

Date Mailed: December 7, 2017

OPTIONAL: Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



**RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE**

FRIARS RIDGE LTD
3144 S 31ST ST
TEMPLE, TX 76502-1803

Zoning Application Number: Z-FY-18-06

Case Manager: Tammy Lyerly

Location: South of Loop 363, West of South 5th Street, and East of Lowe's Drive

The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice, and provide any additional comments you may have.

☒ agree

☐ disagree with this request

Comments:


Signature


Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, tlyerly@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **December 18, 2017**.

**City of Temple
Planning Department
2 North Main Street, Suite 102
Temple, Texas 76501**

Number of Notices Mailed: 9

Date Mailed: December 7, 2017

OPTIONAL: Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



**RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE**

FRIARS RIDGE LTD
3144 S 31ST ST
TEMPLE, TX 76502-1803

Zoning Application Number: Z-FY-18-07

Case Manager: Tammy Lyerly

Location: South of Loop 363, West of South 5th Street, and East of Lowe's Drive

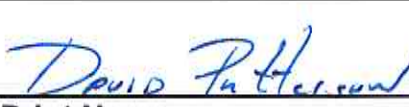
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice, and provide any additional comments you may have.

I ☒ agree

() disagree with this request

Comments:


Signature


Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, tllyerly@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **December 18, 2017**.

**City of Temple
Planning Department
2 North Main Street, Suite 102
Temple, Texas 76501**

Number of Notices Mailed: 13

Date Mailed: December 7, 2017

OPTIONAL: Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.

ORDINANCE NO. _____
(Z-FY-18-05)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM COMMERCIAL ZONING DISTRICT TO MULTI-FAMILY TWO ZONING DISTRICT ON APPROXIMATELY 16.127 ACRES SITUATED IN THE MAXIMO MORENO SURVEY, ABSTRACT NO. 14, BELL COUNTY, TEXAS, LOCATED SOUTH OF LOOP 363, WEST OF SOUTH 5TH STREET, AND EAST OF LOWES DRIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council approves a rezoning from Commercial zoning district to Multi-Family Two zoning district on approximately 16.127 acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located South of Loop 363, West of South 5th Street, and East of Lowes Drive, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 2: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

Part 3: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 5: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading on the **18th** day of **January**, 2018.

PASSED AND APPROVED on Second Reading and Public Hearing on the **1st** day of **February**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney

ORDINANCE NO. _____
(Z-FY-18-06)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM COMMERCIAL ZONING DISTRICT TO MULTI-FAMILY TWO ZONING DISTRICT ON APPROXIMATELY 15.931 ACRES SITUATED IN THE MAXIMO MORENO SURVEY, ABSTRACT NO. 14, BELL COUNTY, TEXAS, LOCATED SOUTH OF LOOP 363, WEST OF SOUTH 5TH STREET, AND EAST OF LOWES DRIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council approves a rezoning from Commercial zoning district to Multi-Family Two zoning district on approximately 15.931 acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located South of Loop 363, West of South 5th Street, and East of Lowes Drive, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 2: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

Part 3: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 5: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading on the **18th** day of **January**, 2018.

PASSED AND APPROVED on Second Reading and Public Hearing on the **1st** day of **February**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney

ORDINANCE NO. _____
(Z-FY-18-07)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM COMMERCIAL ZONING DISTRICT TO MULTI-FAMILY TWO ZONING DISTRICT ON APPROXIMATELY 3 ACRES SITUATED IN THE MAXIMO MORENO SURVEY, ABSTRACT NO. 14, BELL COUNTY, TEXAS, LOCATED SOUTH OF LOOP 363, WEST OF SOUTH 5TH STREET, AND EAST OF LOWES DRIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council approves a rezoning from Commercial zoning district to Multi-Family Two zoning district on approximately 3 acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located South of Loop 363, West of South 5th Street, and East of Lowes Drive, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 2: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

Part 3: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 5: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading on the **18th** day of **January**, 2018.

PASSED AND APPROVED on Second Reading and Public Hearing on the **1st** day of **February**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #12
Consent Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Parks and Recreation Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing the Temple Youths' Program Standards of Care.

STAFF RECOMMENDATION: Conduct public hearing and adopt the ordinance as presented in item description on first reading, with second reading on February 1, 2018.

ITEM SUMMARY: On August 19, 2004, City Council adopted the Standards of Care for youth programs sponsored by the Parks and Recreation Department. The standards were developed after the department was contacted by the Texas Department of Protective and Regulatory Services (TDPRS). One of the requirements of the TDPRS is for Cities that conduct youth programs to adopt a Standards of Care policy. The purpose of the policy is to assure the community that when they place their child/children in one of our programs our facilities are safe, a background check has been conducted on our staff and that they are properly trained for the program they will be conducting.

Some of the key elements of the City or Temple standards include:

- Defining a participant as a youth, ages 5-13, whose parent(s) have completed all required registration procedures and is determined to be eligible for a Temple Youth Program
- Ensuring that criminal background checks will be conducted on prospective youth program employees
- Stating that as soon as possible after employment all appropriate staff will complete a course in first aid and Cardiopulmonary Resuscitation (CPR).
- Stating that the Parks and Recreation Department will provide training and orientation to program employees and that staff will be provided with a program manual specific to each Youth Program.
- Indicating that in a Temple youth recreation program, the number of participants may not exceed leaders by a minimum ratio of one leader per 20 participants for children five years to 13 years of age.

- Assuring parents that they will be notified immediately if a:
 - (1) participant is injured
 - (2) participant has a sign or symptom requiring exclusion from the site (i.e. communicable disease, fever, illness)
 - (3) if there is an outbreak of any communicable disease that is reportable to the State Department of Health.
- Requiring the Parks and Recreation Director to provide an annual report to the City Council on the overall status of the Youth Programs and their operation relative to compliance with the adopted Standards of Care.

In 2017, average daily enrolled attendance at the afterschool sites remained at 313 participants. The summer camp average enrolled attendance decreased slightly from 265 to 253. All training and inspection requirements were met.

Each year the Parks and Recreation Department is required to review the previous year's afterschool and camp programs and develop an annual report, including making any recommendations believed to be necessary to change the Child Care Ordinance. City Council is then asked to conduct a public hearing, approve the report and adopt the Standards of Care.

We are not recommending any changes to the current (and proposed) Child Care Ordinance.

FISCAL IMPACT: None

ATTACHMENTS:

[2017 Child Care Standards Report](#)
[2018 Child Care Standards Ordinance](#)

Parks and Recreation Services Department
Child Care Standards Annual Report
2017

Throughout the 2017 school year, the City of Temple Parks and Recreation Services Department provided after-school programs for boys and girls ages 5-13 at four Temple I.S.D campuses, four Belton I.S.D campuses and St. Mary's Catholic School. The department also organized three summer camps, a spring break camp (Camp Adventure), and a holiday camp (Camp Holidayze) for children ranging from 5 to 13 at the Wilson Recreation Center.

After School Programs

The after-school programs run concurrent with each of the school's academic calendars including holidays and teacher workdays. Children attended the programs from 3:00 p.m. to 6:00 p.m. Monday through Friday. On teacher workdays and school holidays, the program is offered from 7am – 6pm at Wilson Park Recreation Center.

The children are provided with a quality recreation program that includes activities such as tutoring and dedicated homework/educational time, arts and crafts, athletics, gym games, etc. The children are also provided a healthy snack. The after school programs are staffed with part-time employees but supervised by a full time Program Coordinator and Recreation Specialist.

<u>Location</u>	<u>Attendance (daily average)</u>	
	2016	2017
Thornton Elementary	26	18
Western Hills	16	13
Kennedy Powell	40	12
Cater	22	12
Lakewood	48	61
Pirtle	51	60
Tarver	44	62
St. Mary's	20	13
High Point	46	62

Camps

Summer camps included Camp Heatwave, which took place at the Wilson Park Recreation Center and Camp Horizon & Harmony which were held at Pirtle Elementary School. Camp Heatwave was an 11 week program and Horizon and Harmony lasted 10 weeks. Both camps were staffed with part-time recreation leaders and supervised by a full-time Recreation Specialist and a Recreation Coordinator. The same staffing format also occurred at Camp Holidayze and Camp Adventure.

The summer camp schedule was 7:00 a.m. to 6:00 p.m. Monday through Friday. The children participated in a variety of activities including arts and crafts, athletics, swimming, field trips, hiking, disc golf, archery, outdoor adventure programs, etc. The children at Camp Heatwave were provided a lunch and an afternoon snack from the Temple I.S.D. summer lunch program.

Each participant submitted a signed waiver, registration form and emergency contact information.

Camp Name**Attendance (daily average)**

	<u>2016</u>	<u>2017</u>
Camp Holiday (Christmas Break)	54	70
Camp Adventure (Spring Break)	59	68
Camp Heatwave (Summer Camp)	123	132
Camp Horizon (Summer Camp)	69	68
Camp Harmony (Summer Camp)	73	53

Scholarships

Parents who are in need of financial support are provided the opportunity to apply for assistance. Based upon the guidelines adopted by The Parks and Recreation Advisory Board, 31 participants received aid in the form of reduced fees.

After School Program:

3 – 50% reduced (Parents paid \$20 per child, weekly)

1 – 20% reduced (Parents paid \$32 per child, weekly)

Camp Heatwave, Quest, Horizon

11 – 50% reduced (Parents paid \$35 per child, weekly)

At the beginning of the 2012-2013 school year, the Parks and Recreation Advisory Board adopted new guidelines for scholarships.

Inspection Schedule

The Wilson Recreation Center and all after school sites were inspected in April, May and December 2017 for any hazards or potential problems by the Recreation Superintendent. None were noted.

The Wilson Recreation Center passed the annual fire inspection in January, 2017.

Training

Per the adopted Childcare Standards, all staff are CPR/First Aid trained within one year of their hire date. Training occurs twice each year.

All staff who worked with children attended a minimum of 12 hours of training pertinent to their programming responsibilities.

All staff were given quarterly safety training.

All training requirements were met.

Recommendations

No recommendations at this time.

TEMPLE YOUTH PROGRAMS' STANDARDS OF CARE

The following Standards of Care have been adopted by the City Council of the City of Temple, Texas to pursuant to with Texas Human Resources Code Section 42.041(14). The Standards of Care are the minimum standards by which the City of Temple Parks and Recreation Department will operate the City's Youth Programs.

General Administration

1. Organization

- A. The governing body of the City of Temple youth programs is the Temple City Council.
- B. Implementation of the Youth Program Standards of Care is the responsibility of the Superintendent of Recreation.
- C. Youth Programs ("Program") to which these Standards will apply are the programs held at the Wilson Recreation Center and other "Outreach" programs currently operated by the City of Temple. Other programs may be subsequently designated by the City of Temple.
- D. Each Youth Program site will have available for public and staff review a current copy of the Standards of Care.
- E. Standards of Care will be made available on the Parks and Recreation Website www.templeparks.com.
- F. Criminal background checks will be conducted on prospective Youth Program employees. If results of that criminal check indicate that an applicant has been convicted of any of the following offenses, he or she will not be considered for employment:
 - (1) felony or a misdemeanor classified as an offense against a person or family;
 - (2) felony or misdemeanor classified as public indecency;
 - (3) felony or misdemeanor violation of any law intended to control the possession or distribution of any controlled substance;
 - (4) offense involving moral turpitude;
 - (5) offense that would potentially put the City of Temple at risk.

2. Definitions

- A. City: City of Temple
- B. City Council: City Council of the City of Temple
- C. Department: Recreation Division of the Parks and Recreation Department of the City of Temple
- D. Youth Programs or Program: City of Temple youth programs held at the Wilson Recreation Center, and “Outreach” programs currently operated by the City of Temple. Other programs may be subsequently designated by the City of Temple.
- E. Program Manual: Notebook of policies, procedures, required forms, and organizational and programming information relevant to Temple Youth Programs
- F. Director: City of Temple Director of Parks and Recreation or his or her designee
- G. Recreation Superintendent: person responsible for the overall oversight of the Parks and Recreation
- H. Program Coordinator or Coordinator: City of Temple, Parks and Recreation Department full-time recreation staff person who has been assigned administrative responsibility for a Temple Youth Program
- I. Recreation Specialist: City of Temple, Parks and Recreation Department full-time recreation staff person who has been assigned day to day responsibilities to implement the City’s Youth Program.
- J. Recreation Leader or Leaders: City of Temple, Parks and Recreation Department part-time employee who has been assigned responsibility to conduct the City’s Youth Programs
- K. Program Site: Any area or facility where Temple Youth Programs are held
- L. Participant: A youth, ages 5-13, whose parent(s) have completed all required registration procedures and determined to be eligible for a Temple Youth Program
- M. Parent(s): This term will be used to represent one or both parent(s) or guardian(s) who have legal custody and authority to enroll their child(ren) in Temple Youth Programs
- N. Employee(s): Term used to describe people who have been hired to work for the City of Temple, Parks and Recreation Department and have been assigned responsibility for managing, administering, implementing or conducting some portions of the Temple Youth Programs.

3. Inspections/Monitoring/Enforcement

- A. A bi-annual inspection report will be initiated by the Recreation Superintendent to confirm the Standards of Care are being adhered to.
 - (1) Inspection reports will be sent to the Director for review and kept on record for at least two years.
 - (2) The Director will review the report and establish deadlines and criteria for compliance with the Standards of Care.
- B. The Recreation Superintendent will make visual inspections of the facilities based on the following schedule:
 - (1) pre-summer check in May of each year
 - (2) winter check in January
- C. Complaints regarding enforcement of the Standards of Care will be directed to the Coordinator. The Coordinator will be responsible to take the necessary steps to resolve the problems. All complaints regarding enforcement of the Standards of Care and their resolution will be recorded by the Coordinator. Unresolved complaints regarding enforcement of the Standards of Care will be addressed by the Recreation Superintendent, and should they still not be resolved, by the Director. The complaint and the resolution will be documented.
- D. The Director will provide an annual report to the City Council on the overall status of the Youth Programs and their operation relative to compliance with the adopted Standards of Care.

4. Enrollment

- A. All children participating in the program must be 5 years of age. Before a child can be enrolled, the parents must sign registration forms that contain the child's:
 - (1) name, address, home telephone number;
 - (2) name and address of parents and telephone during program hours;
 - (3) names and telephone numbers of people to whom the child can be released;
 - (4) statement of the child's special problems or needs;
 - (5) proof of residency when appropriate;
 - (6) liability waiver which also includes permission for field trips and emergency

medical authorization.

- (7) any medicines the child may be taking

5. Suspected Abuse

Program employees will report suspected child abuse in accordance with the Texas Family Code.

Staffing-Responsibilities and Training

6. Youth Program Coordinator Qualifications

- A. Coordinators will be full-time, employees of the Temple Parks and Recreation Department and will be required to have all Program Leader qualifications as outlined in Section 8 of this document.
- B. Coordinators must be at least 21 years old.
- C. Coordinators must have two years' experience planning and implementing recreation activities.
- D. Coordinators must be able to pass a background investigation including testing for illegal substances.
- E. As soon as possible after employment with the City of Temple, but within one year, Coordinators must successfully complete a course in first aid and Cardiopulmonary Resuscitation (CPR) offered by either: the City of Temple, American Red Cross, American Heart Association, Medic First-Aid Training Program of America, National Safety Council, any agency of the State of Texas authorized to provide Emergency Medical Technician or Emergency Care Attendant certification, or any other agency recognized by any agency of the U.S. Department of Labor to provide certification.
- F. Coordinators must be able to furnish proof of a clear tuberculosis test within 12 months prior to their employment date.

7. Coordinator's Responsibilities

- A. Coordinators are responsible to administer the Programs' daily operations in compliance with the adopted Standards of Care.
- B. Coordinators are responsible to recommend for hire, supervise, and evaluate Leaders.

- C. Coordinators are responsible to plan, implement, and evaluate programs.

8. Recreation Leader (“Leader”) Qualifications

- A. Leaders will be full-time, part-time or temporary employees of the Parks and Recreation Department.
- B. Leaders working with children must be age sixteen (16) or older.
- C. Leaders should be able to consistently exhibit competency, good judgment, and self-control when working with children.
- D. Leaders must relate to children with courtesy, respect, tolerance, and patience.
- E. As soon as possible, but within one year of hiring, all of the Leaders at each site must have successfully completed a course in first aid and Cardiopulmonary Resuscitation (CPR) offered by either: the City of Temple, American Red Cross, American Heart Association, Medic First-Aid Training Program of America, National Safety Council, any agency of the State of Texas authorized to provide Emergency Medical Technician or Emergency Care Attendant certification, or any other agency recognized by any agency of the U.S. Department of Labor to provide certification.
- F. Each Leader applicant must be able to furnish proof of a clear tuberculosis test within the 12 months prior to their employment date.
- G. Leader must pass a background investigation including testing for illegal substances.

9. Leader Responsibilities

- A. Leaders will be responsible to provide participants with an environment in which they can feel safe, can enjoy wholesome recreation activities, and can participate in appropriate social opportunities with their peers.
- B. Leaders will be responsible to know and follow all City, Departmental, and Program standards, policies, and procedures that apply to Temple Youth Programs.
- C. Leaders will ensure that participants are released only to a parent or an adult designated by the parent. All Program sites will have a copy of the Department approved plan to verify the identity of a person authorized to pick up a participant if that person is not known to the Leader.
- D. A leader must be with participants at all times or aware of the participants location.

10. Training/Orientation

- A. The Department is responsible to provide training and orientation to Program employees in working with children and for specific job responsibilities. Coordinators will provide each Leader with a Program manual specific to each Youth Program.
- B. Leaders must be familiar with the Standards of Care for Youth Program operation as adopted by the City Council.
- C. Program employees must be familiar with the Program's policies including discipline, guidance, and release of participants as outlined in the Program Manual.
- D. Program employees will be trained in appropriate procedures to handle emergencies.
- E. Program employees will be trained in areas including City, Departmental, and Program policies and procedures; provision of recreation activities; safety issues; and organization.
- F. All program employees will receive 10 hours of training annually.
- G. Program employees will be required to sign an acknowledgment that they received the required training.

Operations

11. Staff-Participant Ratio

- A. In a Temple Youth Program, the number of participants may not exceed leaders by a minimum ratio of 1 Leader per 20 participants for children 5 years to 14 years of age.
- B. Each participant should have a Program employee who is responsible for him or her and who is aware of details of the participant's habits, interests, and any special problems as identified by the participant's parents during the registration process.

12. Notification

- A. Parents must be notified immediately if:
 - (1) Participant is injured; or
 - (2) Participant has a sign or symptom requiring exclusion from the site (i.e. communicable disease, fever, illness).
- B. All parents must be notified if there is an outbreak of any communicable disease that is reportable to the State Department of Health.

13. Discipline

- A. Program employees will implement discipline and guidance in a consistent manner based on the best interests of Program participants.
- B. There will be no cruel or harsh punishment or treatment.
- C. Program employees may use brief, supervised separation from the group if necessary.
- D. As necessary, Program employees will initiate discipline reports to the parent(s) of participants. Parents will be asked to sign participant discipline reports to indicate they have been advised about a specific problem or incident.
- E. A sufficient number and/or severe nature of discipline reports as detailed in the Program manual may result in a participant being suspended from the Program.
- F. In instances where there is a danger to participants or staff, offending participants will be removed from the Program site as soon as possible.

14. Programming

- A. Program employees will attempt to provide activities for each group according to the participants' ages, interests, and abilities. The activities must be appropriate to participants' health, safety, and well-being. The activities also will be flexible and promote the participants' emotional, social, and mental growth.
- B. Program employees will attempt to provide indoor and outdoor time periods to include:
 - (1) alternating active and passive activities,
 - (2) opportunity for individual and group activities, and
 - (3) outdoor time each day weather permits.
- C. Program employees will be attentive and considerate of the participants' safety on field trips and during any transportation provided by the Program.
 - (1) During trips, Program employees supervising participants must have immediate access to emergency medical forms and emergency contact information for each participant.
 - (2) Program employees must have a written list of the participants in the group and must check the roll frequently.
 - (3) Program employees must have first aid supplies and a guide to first

aid and emergency care available on field trips.

- (4) Notice of any field trips will be displayed at a prominent place at each site.

15. Communication

- A. Each Program site will have access to a telephone for use in contacting the Recreation Center or making emergency calls.
- B. The Coordinator will post the following telephone numbers adjacent to a telephone accessible to all Program employees at each site:
 - (1) Temple ambulance or emergency medical services.
 - (2) Temple Police Department.
 - (3) Temple Fire Department.
 - (4) Poison Control.
 - (5) The telephone number for the site itself.
 - (6) Numbers at which parents may be reached.

16. Transportation

- A. First aid supplies and a first aid and emergency care guide will be available in all Program vehicles that transport children.
- B. All Program vehicles used for transporting participants must have available a 6-BC portable fire extinguisher which will be installed in the passenger compartment of the vehicle and which must be accessible to the adult occupants.
- C. A notebook containing the names and telephone numbers of Parents and Physicians shall be available in all Program vehicles that transport Participants.

Facility Standards

17. Safety

- A. Program employees will inspect Youth Program sites daily to detect sanitation and safety concerns that might affect the health and safety of the participants. A daily inspection report will be completed by the Program staff and kept on file by the Program Coordinator.

- B. Buildings, grounds, and equipment on the Program site will be inspected, cleaned, repaired, and maintained to protect the health of the participants.
- C. Program equipment and supplies must be safe for the participant's use.
- D. Program employees must have first aid supplies available at each site, during transportation, and for the duration of any off-site activity.
- E. Program air conditioners, electric fans, and heaters must be mounted out of participants' reach or have safeguards that keep participants from being injured.
- F. Program porches and platforms more than 30 inches above the ground must be equipped with railings participants can reach.
- G. All swing seats at Program sites must be constructed of durable, lightweight, relatively pliable material.
- H. Program employees must have first aid supplies readily available to staff in a designated location. Program employees must have an immediately accessible guide to first aid and emergency care.
- H. The list of Program sites will be provided to the Bell County Health District- Environmental Health Division so that the Health Division can conduct health inspection(s).

18. Fire

- A. In case of fire, danger of fire, explosion, or other emergency, Program employees' first priority is to evacuate the participants to a designated safe area.
- B. The Program site(s) will have an annual fire inspection by the City Fire Marshall prior to September 1 of each year, and the resulting report will detail any safety concerns observed, the report will be forwarded to the Director who will review and establish deadlines and criteria for compliance. Information from this report will be included in the Director's annual report to the Council.
- C. Each Program site must have at least one fire extinguisher approved by the Fire Marshall readily available to all Program employees. The fire extinguisher is to be inspected monthly by the Program Coordinator, and a monthly report will be forwarded to the Coordinator's supervisor who will keep the report on file for a minimum of two years. All Youth Program staff members will be trained in the proper use of fire extinguishers.

19. Health

- A. Illness or Injury

- (1) A participant who is considered to be a health or safety concern to other participants or staff will not be admitted to the Program.
- (2) Illnesses and injuries will be handled in a manner to protect the health of all participants and employees.
- (3) Program employees will follow plans to provide emergency care for injured participants or for participants with symptoms of an acute illness as specified in the Program manual.
- (4) Program employees will follow the recommendation of the Texas Department of Health concerning the admission or readmission of any participant after a communicable disease.

B. Program employees will administer medication only if:

- (1) Parent(s) or guardian(s) complete and sign a medication form that provides authorization for staff to dispense medication with details as to time and dosages. The form will include a hold harmless clause to protect the City.
- (2) Prescription medications are in the original containers labeled with the child's name, a date, directions, and the physician's name. Program staff members will administer the medication only as stated on the label. Program staff will not administer medication after the expiration date.
- (3) Nonprescription medications are labeled with the child's name and the date the medication was brought to the Program. Nonprescription medication must be in the original container. The Program staff will administer it only according to label direction.
- (4) Medications dispensed will be limited to routine oral ingestion not requiring special knowledge or skills on the part of Program employees. No injections will be administered by the Program employees.
- (5) Program employees must ensure medications are inaccessible to participants or, if it is necessary to keep medications in the refrigerator (when available), medications will be kept separate from food.

C. Toilet Facilities

- (1) The Program site will have inside toilets located and equipped so children can use them independently and program staff can supervise as needed.

- (2) There must be one flush toilet for every 30 children. Urinals may be counted in the ratio of toilets to children, but must not exceed 50% of the total number of toilets.
- (3) An appropriate and adequate number of lavatories will be provided.

D. Sanitation

- (1) The Program site must have adequate light, ventilation, and heat.
- (2) The Program must have an adequate supply of water meeting the standards of the Texas Department of Health for drinking water and ensure that it will be supplied to the participants in a safe and sanitary manner.
- (3) Program employees must see that garbage is removed from sites daily.

- E. The City will contact the Health Department and request an annual health inspection by the Health Department prior to September 1 of each year, and the resulting report will detail any safety concerns observed, the report will be forwarded to the Director who will review and establish deadlines and criteria for compliance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ADOPTING THE TEMPLE YOUTHS' PROGRAM STANDARDS OF CARE POLICY FROM THE PARKS AND RECREATION DEPARTMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on August 19, 2004, City Council first adopted the Standards of Care for youth programs sponsored by the Parks and Recreation Department which were developed after the department was contacted by the Texas Department of Protective and Regulatory Services (TDPRS);

Whereas, one of the requirements of the TDPRS is for cities that conduct youth programs to adopt a Standards of Care policy annually – the purpose is to assure the community that when they place their child/children in one of the City of Temple's programs, the facilities are safe, a background check has been conducted on the Staff, and they are properly trained for any program they conduct;

Whereas, in 2017, the average daily enrolled attendance at the afterschool sites remained at 313 participants with the summer camp average decreasing slightly from 265 to 253;

Whereas, the Temple Youths' Program Standards of Care policy, attached hereto as Exhibit 'A,' outlines several key elements including the average daily attendance at all afterschool sites;

Whereas, each year the Parks and Recreation Department is required to review the previous year's afterschool and camp programs and develop an annual report, including making any recommendations Staff believes is necessary to change the Standards of Care Ordinance – Staff is not recommending any changes to the current (and proposed) Standards of Care Ordinance at this time; and

Whereas, the City Council has considered these matters and deems it in the public interest to authorize these actions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: The City Council adopts the Temple Youths' Program Standards of Care Policy from the Temple Parks and Recreation Department, which is required by the Texas Department of Protective and Regulatory Services and which assures the community that the City of Temple's facilities are safe, a background check has been conducted on the Staff and they are properly trained for any program they conduct, as outlined in Exhibit 'A' attached hereto and incorporated herein for all purposes.

Part 3: All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Part 4: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid phrase, clause, sentence, paragraph or section.

Part 5: This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **18th** day of **January, 2018**.

PASSED AND APPROVED on Second Reading on the **1st** day of **February, 2018**.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #13
Regular Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Sandra Esqueda, Civil Service Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance amending the number of positions in the Police Department Deputy Chief classification and the Police Officer Classification.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description on first reading; with second and final reading set for February 1, 2018.

ITEM SUMMARY: Chapter 143 of the Local Government Code requires that the Council establish by ordinance the classifications in the Police and Fire Departments, and prescribe by ordinance the number of positions in each classification. In September 2017, the City of Temple and the Temple Police Association (TPA) ratified a Meet and Confer Agreement for fiscal year 2018. Article 2 of the Agreement established a third appointed Deputy Chief position in the Police Department in addition to the two Deputy Chief positions authorized by statute. This additional position is necessary to align the Departmental command structure with the organization of the Department into three bureaus, Patrol, Investigations and Administration, and to efficiently address the continued growth of the Department and the community.

The FY2018 budget allocated funding for the first staffing phase for a new Proactive Enforcement/Violent Crime Squad. This new squad will allow a dedicated unit to routinely perform proactive strategies designed to reduce violent crime and apprehend criminal offenders. The first staffing phase includes the addition of one police officer to the force, as well as the reassignment of an existing officer.

At this time, the Police Chief requests the approval of one additional appointed Deputy Chief position and one police officer. This will increase the number of positions in the Deputy Chief classification from two to three and the number of officers from 104 to 105. All remaining classifications will maintain the current number of personnel as follows:

- Police Chief – 1 position
- Deputy Chief – 3 positions
- Lieutenants – 7 positions
- Sergeant – 18 positions
- Corporal – 18 positions
- Officers – 105 positions

FISCAL IMPACT: Funding in the amount of \$181,331 is included in the FY 2018 Operating Budget of the Police Department for the one additional appointed Deputy Chief position. This amount also includes funding for a vehicle, equipment and other operational costs associated with this position.

Funding in the amount of \$131,698 is included in the FY 2018 Operating Budget of the Police Department for the one additional police officer position. This amount also includes funding for a vehicle, equipment and other operational costs associated with this position.

ATTACHMENTS:

[Ordinance](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING THE NUMBER OF POSITIONS IN THE POLICE DEPARTMENT, DEPUTY CHIEF CLASSIFICATION, AND THE POLICE OFFICER POSITION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Chapter 143 of the Local Government Code requires that the City Council establish by Ordinance, the classifications in the Police and Fire Departments, and prescribe by Ordinance the number of positions in each classification;

Whereas, in October 2017, the City of Temple and the Temple Police Association (TPA) ratified a Meet and Confer Agreement for fiscal year 2018 - Article 2 of the Agreement established a third appointed Deputy Chief position in the Police Department in addition to the two Deputy Chief positions authorized by statute;

Whereas, this additional position is necessary to align the Departmental command structure with the organization of the Department into three bureaus - Patrol, Investigations and Administration, as well as to efficiently address the continued growth of the Department and the community;

Whereas, Staff recommends that Council authorize the approval of one additional appointed Deputy Chief position and one police officer – these additions will increase the number of positions in the Deputy Chief classification from two to three, and the number of officers from 104 to 105;

Whereas, all remaining classifications will maintain the current number of personnel as follows:

Police Chief – 1 position;
Deputy Chief – 3 positions;
Lieutenants – 7 positions;
Sergeant – 18 positions;
Corporal – 18 positions;
Officers – 105 positions;

Whereas, the fiscal year 2018 budget allocated funding for the first staffing phase for a new Proactive Enforcement/Violent Crime Squad - this new squad will allow a dedicated unit to routinely perform proactive strategies designed to reduce violent crime and apprehend criminal offenders;

Whereas, the first staffing phase includes the addition of one police officer to the force, as well as the reassignment of an existing officer;

Whereas, funding for these positions is included in the fiscal year 2018 Operating Budget for the Police Department– this also includes funding for a vehicle, equipment and other operational costs associated with the positions; and

Whereas, the City Council has considered these matters and deems it in the public interest to authorize these actions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: Council establishes the following Classifications and the Number of Positions of Certified Police Officers for civil service positions in the Police Department:

CLASSIFICATIONS AND POSITIONS OF CERTIFIED POLICE OFFICERS

I. UNCLASSIFIED POSITIONS

A. *POLICE CHIEF* – 1 Position

The Police Chief is appointed by the City Manager. No person shall be eligible for appointment as the Chief of the Police Department who is not eligible for certification by the Commission on Law Enforcement Standards and Education at the intermediate level or its equivalent as determined by that Commission or who has not served as a bona fide law enforcement officer for at least 5 years.

B. *DEPUTY CHIEF* – 3 Positions

No person shall be eligible for appointment as a Deputy Chief who has not served as a Lieutenant or continuously served for a minimum of 2 years as a Sergeant in the Department.

II. CLASSIFIED POSITIONS

A. *LIEUTENANT* – 7 Positions

No person shall be eligible for appointment as a Lieutenant who has not served continuously as a Sergeant in the Department for at least 2 years. In addition to base pay, every Lieutenant having more than 5, 8, 12, 16 or 20 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

B. *SERGEANT* – 18 Positions

No person shall be eligible for appointment as a Sergeant who has not served continuously as a Corporal in the Department for at least 2 years. In addition to base

pay, every Sergeant having more than 3, 6, 10, 15 or 20 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

C. *CORPORAL* – 18 Positions

No person shall be eligible for appointment as a Corporal who has not served continuously as a Police Officer in the Department for at least 2 years. In addition to base pay, every Corporal having more than 3, 6, 10, 15 or 20 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

D. *POLICE OFFICER* – 105 Positions

1. *POLICE OFFICER*: Only TCOLE certified personnel in this state shall occupy this classification upon completion of their probationary status.
2. *PROBATIONARY POLICE OFFICER*: Only TCOLE certified personnel in this state shall occupy this classification upon the end of their probationary status. Upon successful completion of all aspects of the Probationary position, the Probationary employee shall automatically advance to the Police Officer position.

Probationary police officers, hired on a probationary status for the period prescribed by law, may be hired only in such numbers as, together with Cadet police officers, will not exceed the vacancies in the total authorization for Police Officers and shall, during their period of probation, receive the pay allotted to them by the budget.

3. *CADET POLICE OFFICER*: An employee not certified in this state shall start in this classification. Upon successful completion of the requirements for certification by the Texas Commission on Law Enforcement, the Cadet shall automatically advance to the Probationary position. Cadet police officers may be hired only in such numbers as, together with Probationary police officers, will not exceed the vacancies in the total authorization for Police Officers and shall, during the period of time that they occupy this position, receive the pay allotted to them by the budget.

Part 3: If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Part 4: This ordinance shall take effect February 1, 2018.

Part 5: It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **18th** day of **January, 2018**.

PASSED AND APPROVED on Second Reading on the **1st** day of **February, 2018**.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

01/18/18
Item #14
Regular Agenda
Page 1 of 4

DEPT./DIVISION SUBMISSION & REVIEW:

Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING - Z-FY-18-01: Consider adopting an ordinance authorizing a Conditional Use Permit for a proposed wireless telecommunications facility, including a new 100-foot monopole tower, being a part of a 3.103 +/- acre tract of land out of the McKinney and Williams Survey, Abstract No. 609, Bell County, Texas, located at 1402A Commerce Street.

PLANNING AND ZONING COMMISSION RECOMMENDATION: At its November 20, 2017, meeting the Planning and Zoning Commission voted seven to zero, to recommend approval of the proposed wireless telecommunications facility, including a new 100-foot monopole tower, per Staff's recommendation.

STAFF RECOMMENDATION: Staff recommends approval of the requested CUP for the following reasons:

1. Compliance with the Future Land Use Plan;
2. Compliance with surrounding zoning and land uses; and;
3. Compliance of availability of public facilities to serve the subject property; and
4. The applicant has demonstrated compliance with the design standards in Section 5.4.5 of the UDC.

ITEM SUMMARY: The applicant is pursuing a CUP for a personal use wireless service facility, including a 100-foot wireless monopole tower. Although the use is allowed in the property's existing Light Industrial and Heavy Industrial zoning districts, **the proposed site does not meet the distance separation of 1000 feet from the nearest residential use or zoning district**, per Unified Development Code (UDC) Section 5.4.4 and therefore requires a CUP.

A Conditional Use Permit is also required because the proposed personal wireless monopole tower is not a collocation, per UDC Section 5.4 (Personal Wireless Service Facilities). The applicant has submitted a letter regarding the inability to collocate.

Personal wireless cell towers pursuing a CUP are subject to the following design standards in Section 5.4.5 of the UDC:

A. Boundary and Use Setbacks

1. A guy or guy anchor for a facility must not be closer than 20 feet to a bounding property line. **Staff note: The proposed freestanding monopole does not have a guy or guy anchors.**

2. The distance between the base of a self-supported tower and the property line of any residential zoning district or use must not be less than three times the height of the tower structure. **Staff note: The proposed tower is located in the Light Industrial and Heavy Industrial zoning districts and is surrounded by immediately by industrial and retail uses. The nearest residential zoning district is across the railroad tracks, and is approximately 250 feet from the proposed wireless facility site. The nearest residence is approximately 390 feet from the proposed site.**

B. Security Screening Fence

1. A solid, wood or masonry fence, a minimum of eight feet in height, must completely enclose the base of every tower. **Staff note: The applicant proposes an eight foot high wood fence enclosed around the tower base and equipment shelter.**

2. In a residential zoning district or on property that abuts a residential zoning district or use, a solid wood or masonry fence, a minimum of eight feet in height, must completely enclose all mechanical equipment and accessory structures. **Staff note: The request is in the Light Industrial and Heavy Industrial zoning districts and proposes an eight foot high wood fence enclosed around the tower base and equipment shelter.**

3. A security screening fence for a facility built or permitted after May 17th, 2001, may not be less than six feet in height. **Staff note: The applicant proposes an eight foot high wood fence.**

4. A security fence must be built to safely discourage unauthorized access to facilities by climbing. **Staff note: The applicant proposes an eight foot high fence topped with three strands of barbed wire, as allowed by UDC Section 7.7.5 D.**

5. External and internal gates and doors that provide access to a facility must be equipped with a self-locking or self-latching mechanism for purposes of preventing unauthorized access. **Staff note: The site plan reflects compliance with this requirement.**

6. Screening is not required for a facility located on a building that is not designed or built primarily to support the facility, if the ancillary equipment, including but not limited to the equipment enclosure, is not visible from an abutting property line or public street right-of-way. **Staff note: The site plan reflects an eight foot high wood fence for screening around the site's perimeter, as well as an existing tree line surrounding the proposed site.**

C. Screening

1. As much of the total facility as possible must be screened or located so as to not be visible from prevalent views. **Staff note: The proposed tower base and equipment shelter will be screened by an eight foot high wood fence.**

2. Landscaping must be continuously maintained in a healthy, growing condition and be trimmed as necessary to comply with ordinances governing height of grass, corner sight obstruction and street and sidewalk obstruction. **Staff note: Verizon assures staff that although the existing tree line will be removed in order to properly construct the site, the construction team will save as much natural vegetation as possible.**

D. Collocation

A new freestanding tower is not permitted unless the applicant demonstrates to the satisfaction of the approving authority that existing, permitted or proposed alternative support structures cannot accommodate the proposed facilities for the following reasons:

1. Height is not sufficient to meet applicant's engineering requirements;
2. Structural strength is not sufficient to support applicant's proposed facilities and cannot be reinforced in accordance with engineering requirements;
3. Other aspects of structure do not meet applicant's technical design requirements;
4. Electromagnetic interference would result from collocation;
5. Fees or costs for sharing or adapting are unreasonable; any cost that is less than the cost to construct and develop a new tower is presumed to be reasonable;
6. Owners of alternative structures are unwilling to accommodate the applicant's needs within 30 days after the date such owners received applicant's written request; or
7. Other factors render alternative support structures unsuitable.

Staff note: The applicant has submitted a letter regarding the inability to collocate. Please see the attached letter.

COMPREHENSIVE PLAN COMPLIANCE: The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan:

Future Land Use and Character Plan (FLUP) (CP Map 3.1)

The subject property is within the **Industrial character district** of the *Choices '08* City of Temple Comprehensive Plan. The applicant's pursuit for a personal use wireless service facility, including a 100-foot wireless monopole tower is allowed in the property's existing Light Industrial and Heavy Industrial zoning districts, but lacks in the distance setback from residential zoning and uses. **The requested use complies with the Future Land Use and Character Plan.**

Thoroughfare Plan (CP Map 5.2) and Temple Trails Master Plan Map and Sidewalk Ordinance

The subject property fronts Commerce Street, a local street on the Thoroughfare Plan. The requested use will not generate traffic. **This request complies with the Thoroughfare Plan.**

Availability of Public Facilities (CP Goal 4.1)

An existing water line and sewer line are located within the Commerce Street right-of-way. **This request complies with availability of Public Facilities.**

PUBLIC NOTICE: Twelve notices of the Planning and Zoning Commission public hearing were sent out to property owners within 500-feet of the subject property, as required by State law and City Ordinance. **Staff sent out notices to all property owners within 500 feet, per UDC Section 5.4.5.D (Conditional Use Permit), which requires a notification boundary of 500 feet.** As of Wednesday November 15, 2017 at 8:00 AM, no notices were returned in favor of the CUP and no notices were returned in denial of the request.




FISCAL IMPACT: Not Applicable



ATTACHMENTS:




[Site and Surrounding Property Photos](#)
[Location map with Aerial](#)
[Zoning Map](#)
[Future Land Use and Character Map](#)
[Thoroughfare Map](#)
[Utility Map](#)
[Notification Map](#)
[Surrounding Properties and Uses](#)
[Applicant's Collocation Letter](#)
[Verizon Site Plan Exhibits](#)
[Ordinance](#)

SURROUNDING PROPERTY AND USES:

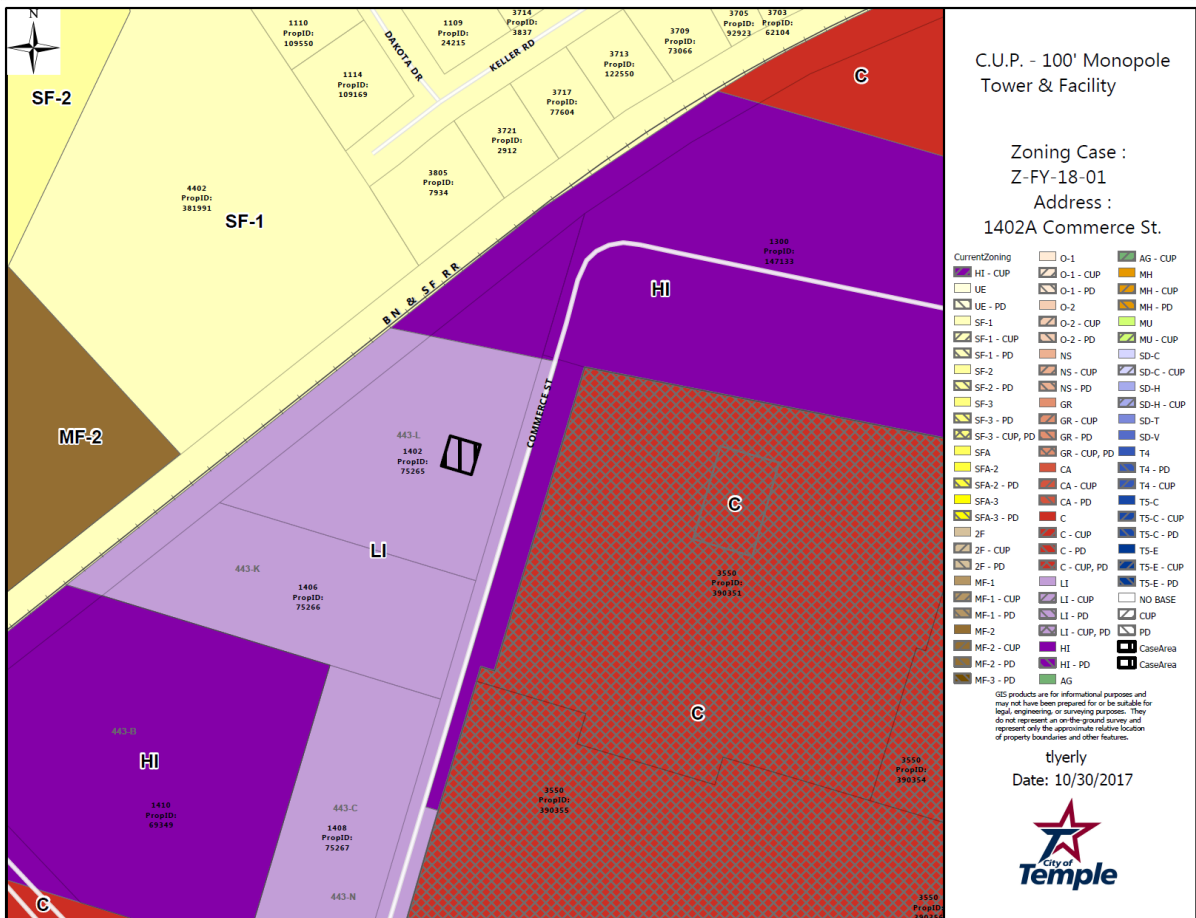
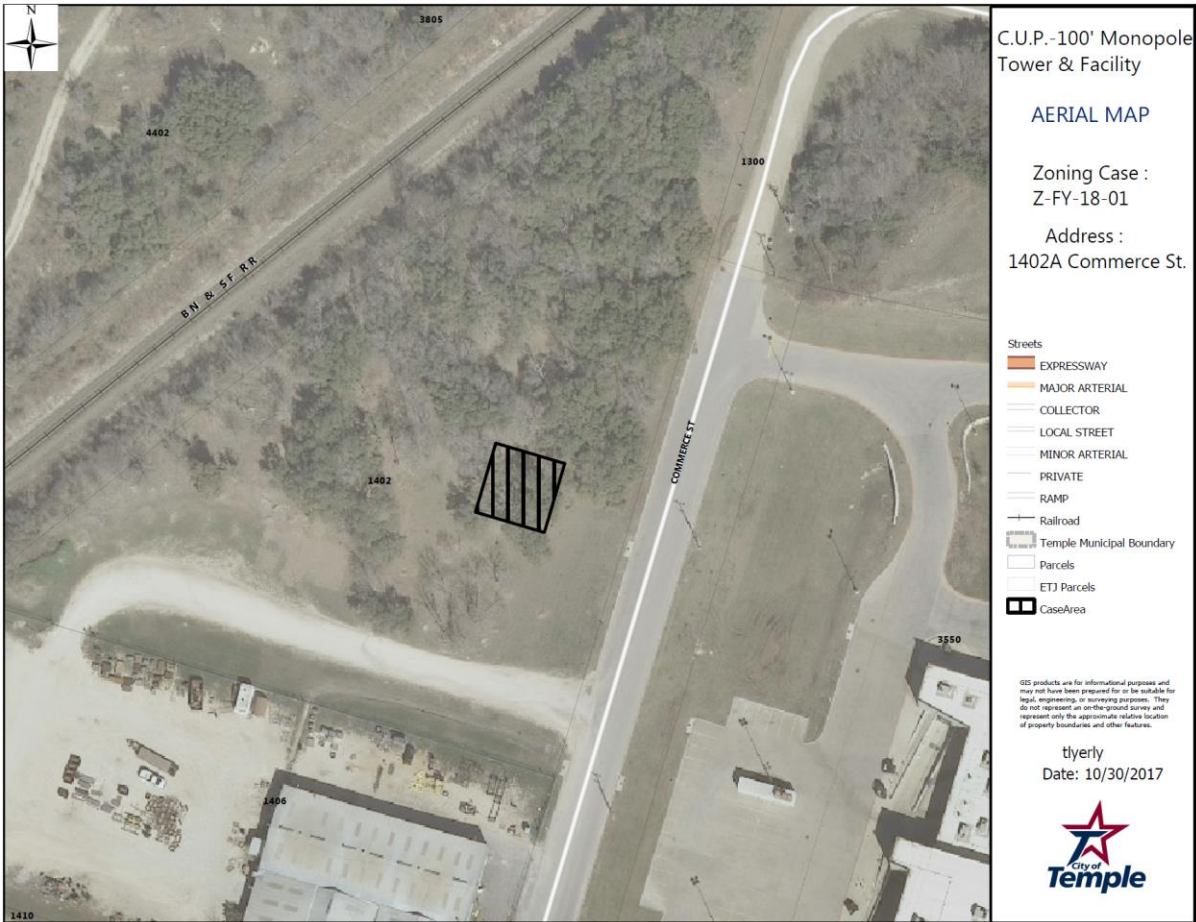
The following table shows the subject property, existing zoning and current land uses:

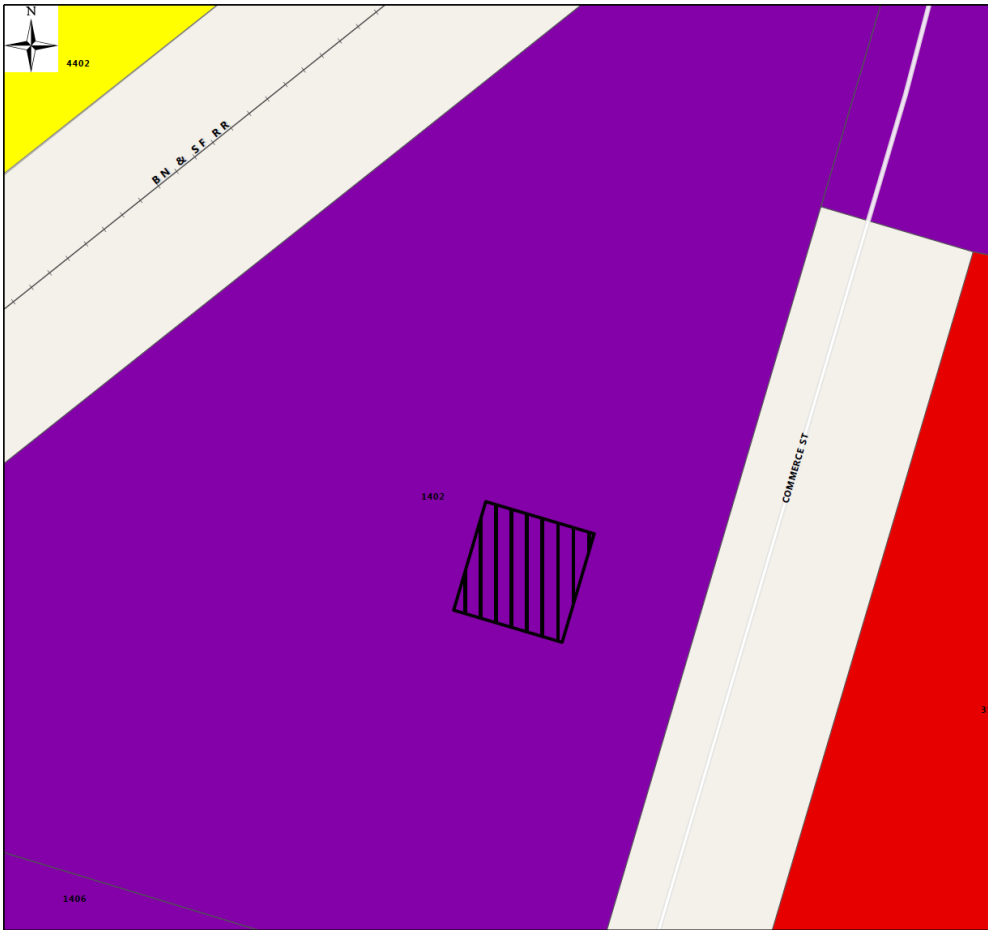
Direction	Zoning	Current Land Use	Photo
Subject Property	LI & HI	Undeveloped Land	 <p>Commerce Street</p>
			
East	C & HI	Shopping Center with Restaurant	

Direction	Zoning	Current Land Use	Photo
			 <p>Commerce Street</p>
West	MF-2 & SF-1	Single-Family Residential and Undeveloped Land	

Direction	Zoning	Current Land Use	Photo
			
South	LI & HI	Industrial / Manufacturing Plant	
			

Direction	Zoning	Current Land Use	Photo
North	LI & HI	Undeveloped Land & Oncor facilities	
			
			



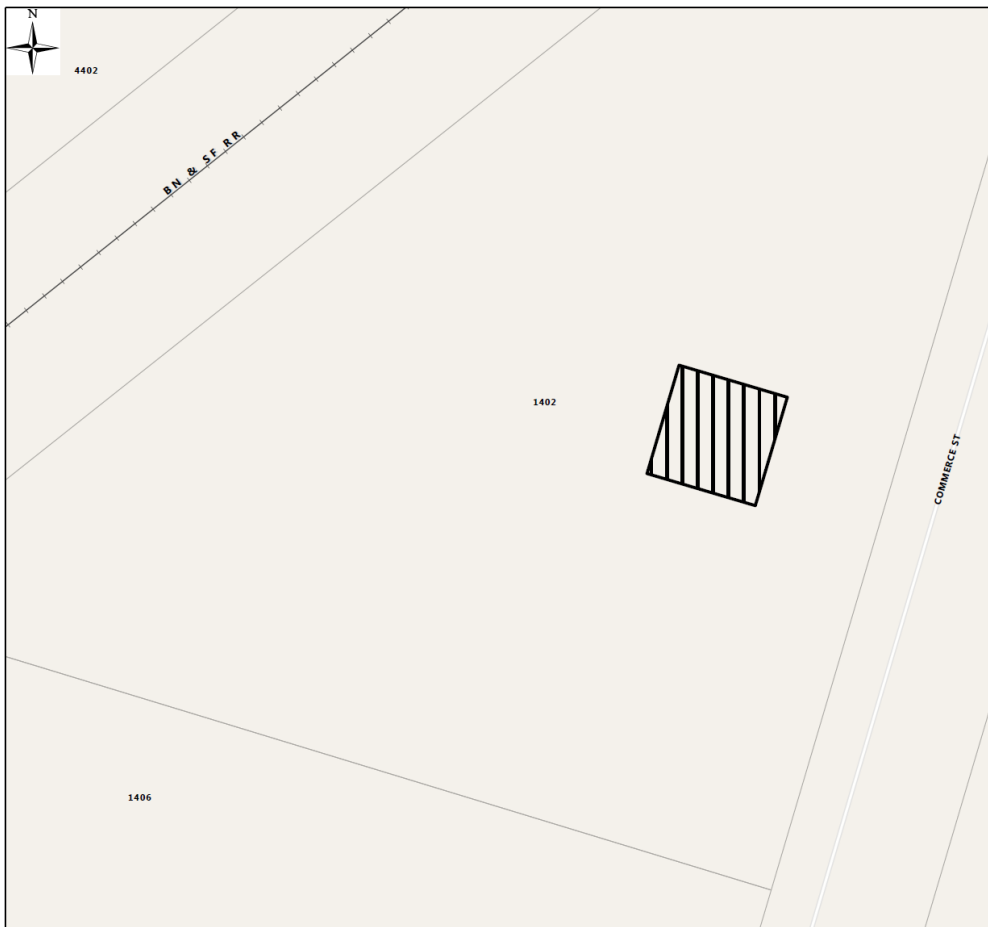


C.U.P.-100' Monopole
Tower & Facility
FUTURE LAND
USE MAP
Zoning Case :
Z-FY-18-01
Address:
1402A Commerce St.

- EXPRESSWAY
- MAJOR ARTERIAL
- COLLECTOR
- LOCAL STREET
- MINOR ARTERIAL
- PRIVATE
- RAMP
- Parcels
- Future LUP
 - Agricultural/Rural
 - Auto-Urban Commercial
 - Auto-Urban Mixed Use
 - Auto-Urban Multi-Family
 - Auto-Urban Residential
 - Business Park
 - Estate Residential
 - Industrial
 - Neighborhood Conservation
 - Parks & Open Space
 - Public Institutional
 - Suburban Commercial
 - Suburban Residential
 - Temple Medical Education District
 - Urban Center
- CaseArea

GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.

tylerly
Date: 10/30/2017



C.U.P.-100' Monopole
Tower & Facility
THOROUGHFARE
AND TRAILS MAP

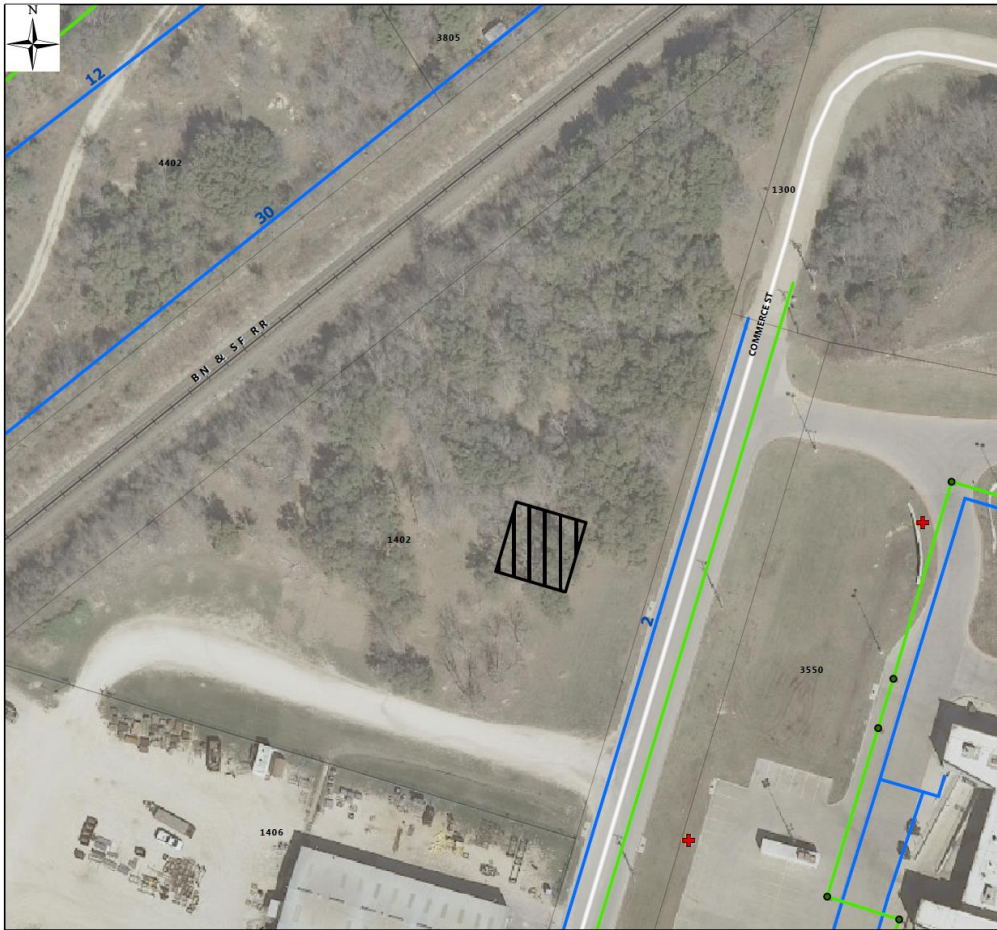
Zoning Case :
Z-FY-18-01
Address:
1402A Commerce St.

- EXPRESSWAY
- MAJOR ARTERIAL
- COLLECTOR
- LOCAL STREET
- MINOR ARTERIAL
- PRIVATE
- RAMP
- Parcels
- CaseArea

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tylerly
Date: 10/30/2017





C.U.P.-100' Monopole
Tower & Facility

UTILITY MAP

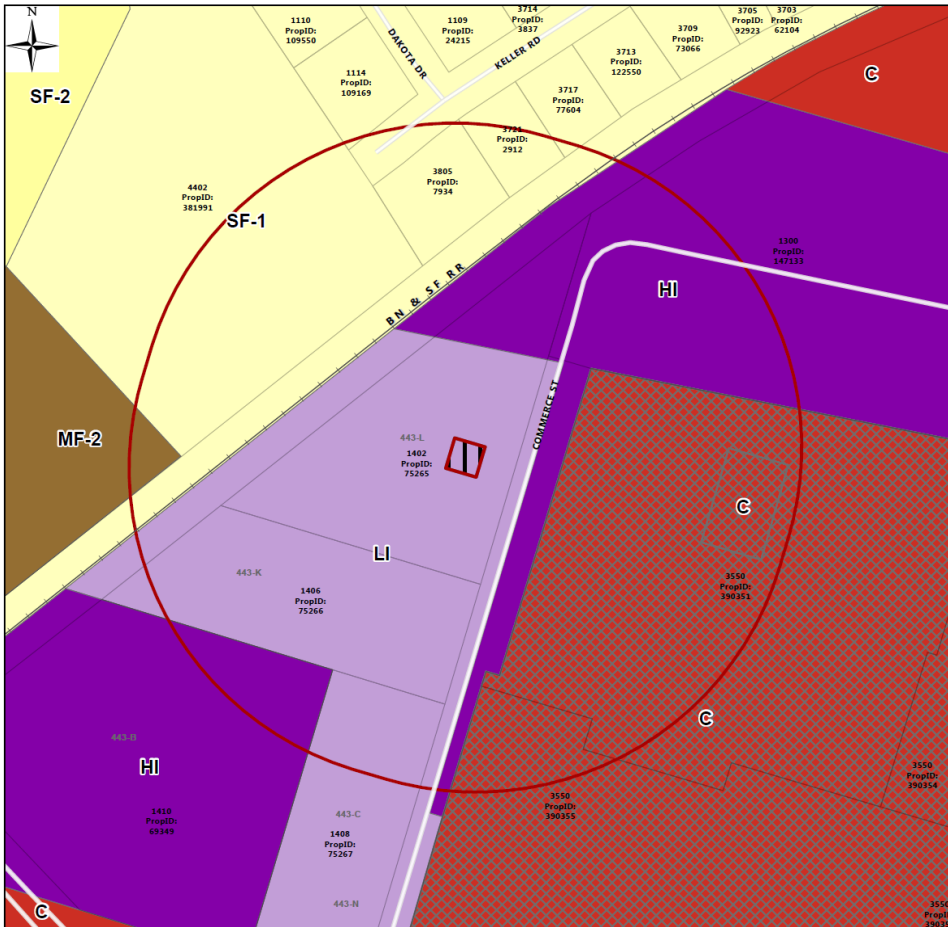
Zoning Case :
Z-FY-18-01

Address :
1402A Commerce St.

- Manhole
- Gravity Main
- ✚ Hydrant
- Main
- ▭ Parcels
- ▭ CaseArea

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represent only the approximate relative location
of property boundaries and other features.

tlyerly
Date: 10/30/2017



C.U.P. - 100' Monopole
Tower & Facility

500' RADIUS NOTIFICATION MAP

Zoning Case :
Z-FY-18-01

Address :
1402A Commerce St.

Current Zoning	O-1 - PD	MIJ
HI - CLUP	O-2	MIJ - CLUP
UE	O-2 - CLUP	SD-C
UE - PD	O-2 - PD	SD-C - CLUP
SF-1	NS	SD-H
SF-1 - CLUP	NS - CLUP	SD-H - CLUP
SF-1 - PD	NS - PD	SD-T
SF-2	GR	SD-V
SF-2 - PD	GR - CLUP	T4
SF-3	GR - PD	T4 - PD
SF-3 - PD	GR - CLUP, PD	T4 - CLUP
SF-3 - CLUP, PD	CA	TS-C
SFA	CA - CLUP	TS-C - CLUP
SFA-2	CA - PD	TS-C - PD
SFA-2 - PD	C	TS-E
SFA-3	C - CLUP	TS-E - CLUP
SFA-3 - PD	C - PD	TS-E - PD
2F	C - CLUP, PD	NO BASE
2F - CLUP	LI	CLUP
2F - PD	LI - CLUP	PD
MF-1	LI - PD	CaseArea
MF-1 - CLUP	LI - CLUP, PD	CaseArea
MF-1 - PD	HI	Buffer
MF-2	HI - PD	
MF-2 - CLUP	AG	
MF-2 - PD	AG - CLUP	
MF-3 - PD	MH	
O-1	MH - CLUP	
O-1 - CLUP	MH - PD	

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may not have been prepared for or be suitable for
legal, engineering, or surveying purposes. They
do not represent an on-the-ground survey and
represent only the approximate relative location
of property boundaries and other features.

tlyerly
Date: 10/30/2017



Surrounding Property & Uses			
<u>Direction</u>	<u>Future Land Use Map</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Industrial	LI & HI	Undeveloped Land
North	Industrial	LI & HI	Undeveloped Land
South	Industrial	LI & HI	Manufacturing Plant
East	Auto-Urban Commercial	C & HI	Shopping Center with Restaurants
West	Suburban Residential	MF-2 & SF-1	Single-Family Residential and Undeveloped Land

MALES & ASSOCIATES

Real Estate Consulting Services

P.O. Box 310816

New Braunfels, Texas 78131

Allen.Males@yahoo.com

512-751-6920

May 15, 2017

TXU Electric Delivery Company

PO Box 219071

Dallas, Texas 75221-9071

RE: Verizon Cell Site Proposal

To Whom It May Concern:

I am a leasing specialist representing Verizon Wireless. Verizon Wireless is interested in leasing a small portion of your Property located off Commerce St, Temple, Texas for the purpose of installing a telecommunications facility and attaching antennas to your existing communication tower.

The basic terms of the lease would be as follows:

- 1) Initial Term of five (5) years with four (4) 5-year Renewal Terms;
- 2) Verizon Wireless will be responsible for improvements and its own utilities;
- 3) 30' x 30' (900 sq.ft.) lease area or less;
- 4) Rent Schedule including 10% escalation each 5-year renewal term;
- 5) Commencement upon start of construction.

The breakdown would be as follows:

Term	Monthly Rental	Annual Rental	Term Rental

Upon receipt of this letter, please contact me at **512-751-6920** to discuss this opportunity further.

Respectfully,



Allen Males

President

Males & Associates



Response from Oncor:

----- Forwarded Message -----

From: "Reese, David" <David.Reese@oncor.com>

To: "allen.males@yahoo.com" <allen.males@yahoo.com>

Sent: Monday, June 5, 2017 11:00 AM

Subject: Temple Comm Tower Attachment Request

Allen,

Oncor does not allow new attachments to their Communication Towers.

Thank you for your interest on behalf of Verizon.

Sincerely,

David Reese

MTLS, Inc.

Telecom Management Services

Representing **Oncor Electric Delivery**

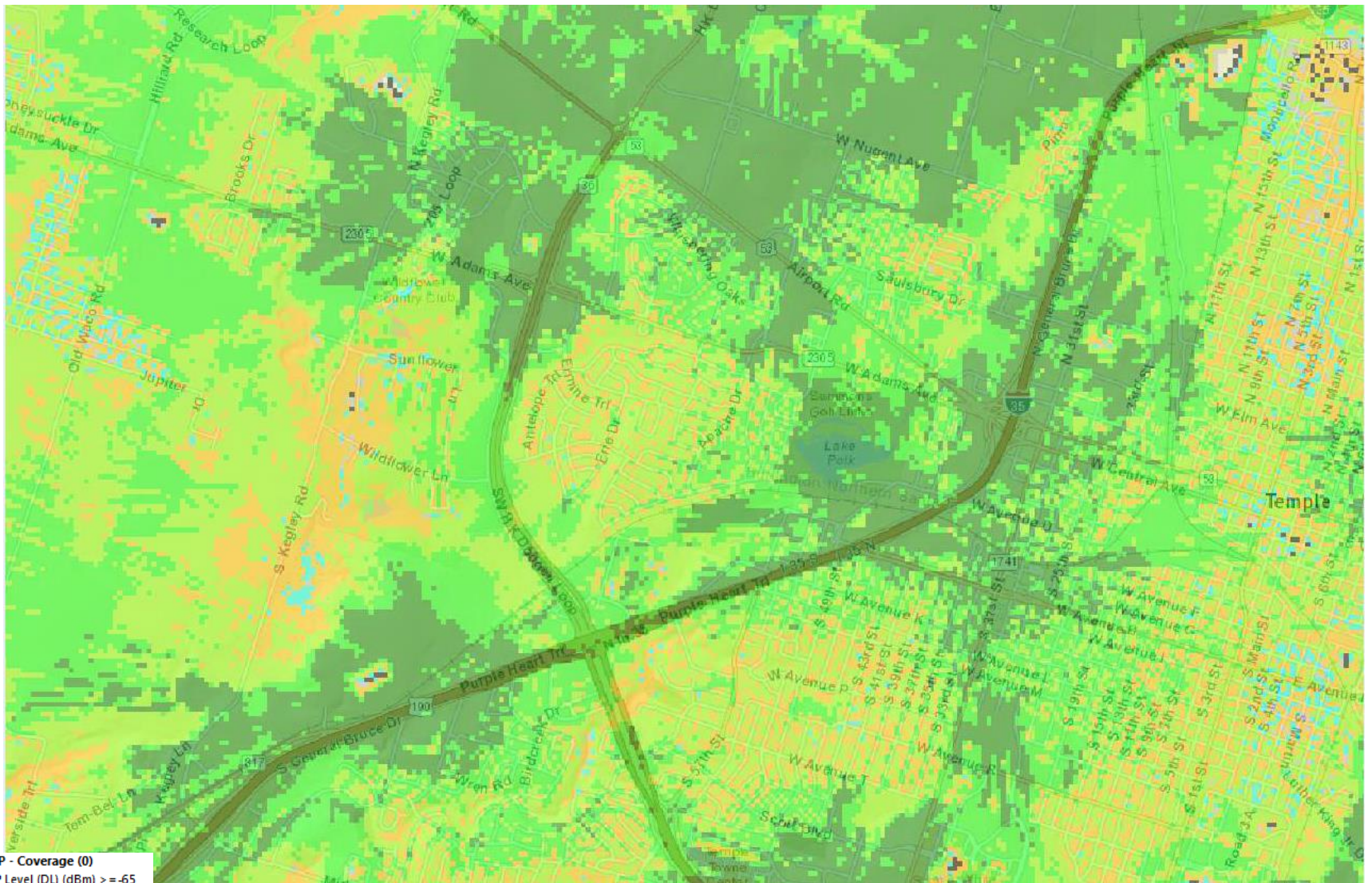
115 W. 7th Street #525

Ft. Worth, Texas 76102

(817)215-6658 (office)

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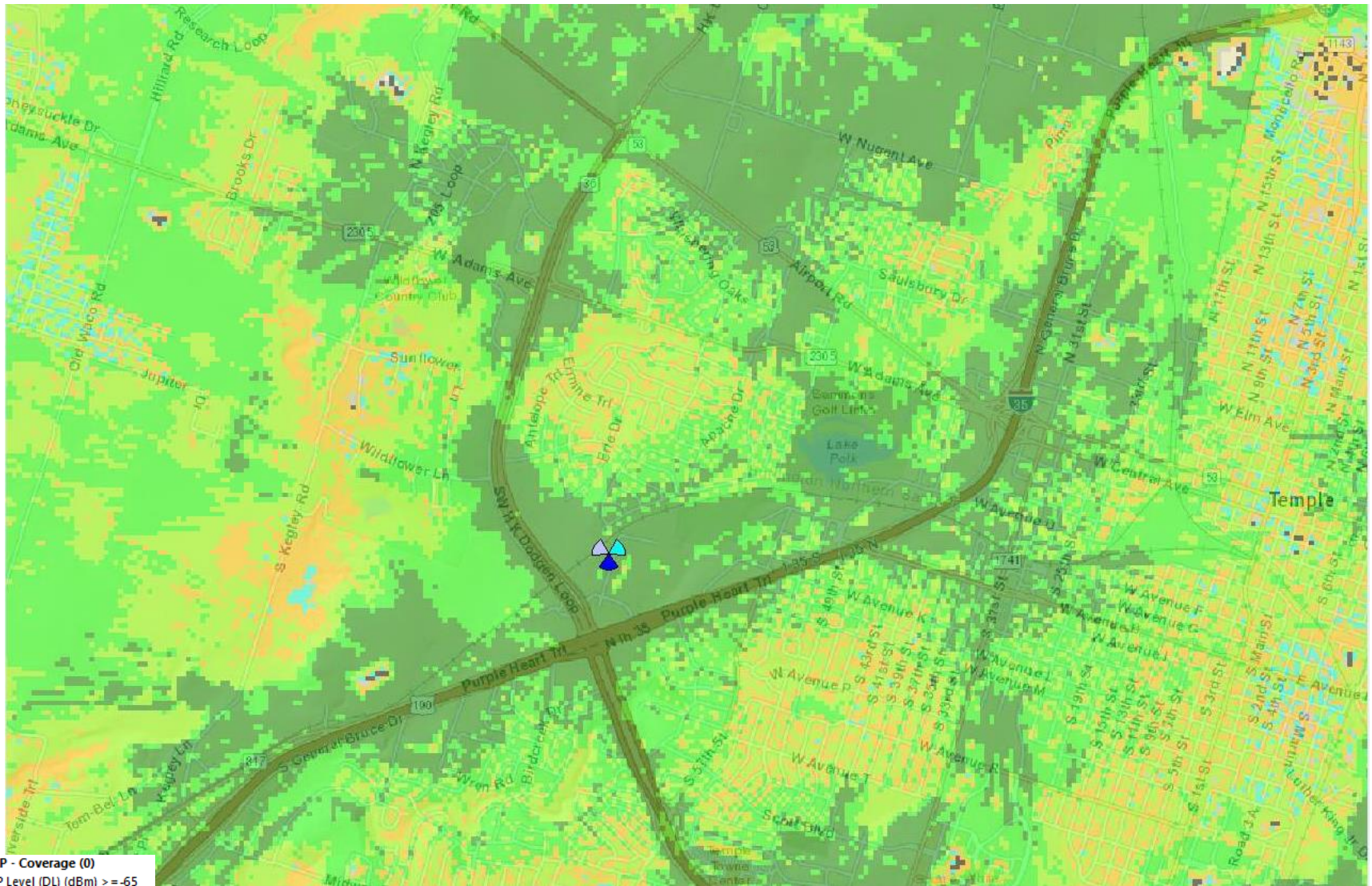
IRA_YOUNG (before)



LTE: RSRP - Coverage (0)

- RSRP Level (DL) (dBm) ≥ -65
- RSRP Level (DL) (dBm) ≥ -75
- RSRP Level (DL) (dBm) ≥ -85
- RSRP Level (DL) (dBm) ≥ -95
- RSRP Level (DL) (dBm) ≥ -100
- RSRP Level (DL) (dBm) ≥ -105
- RSRP Level (DL) (dBm) ≥ -120

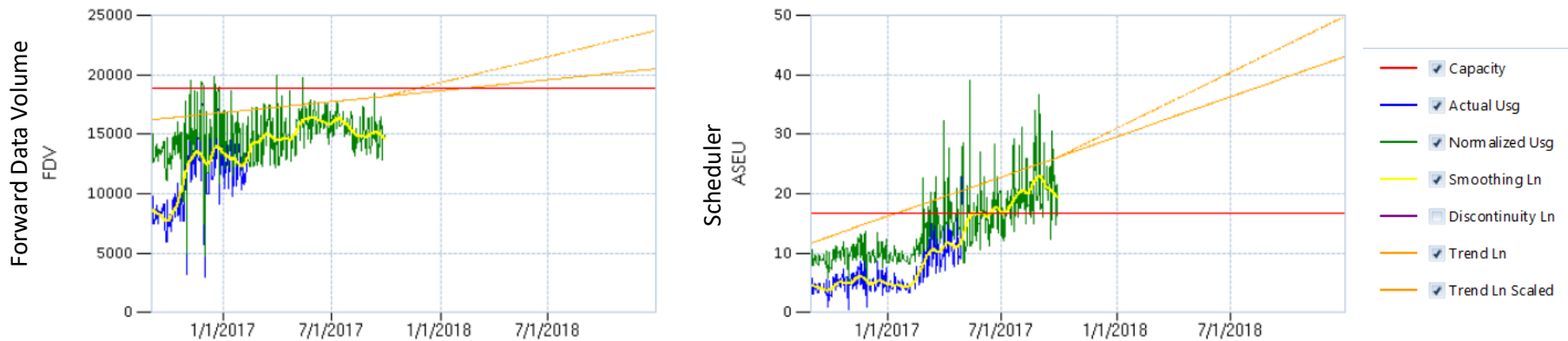
IRA_YOUNG (after)

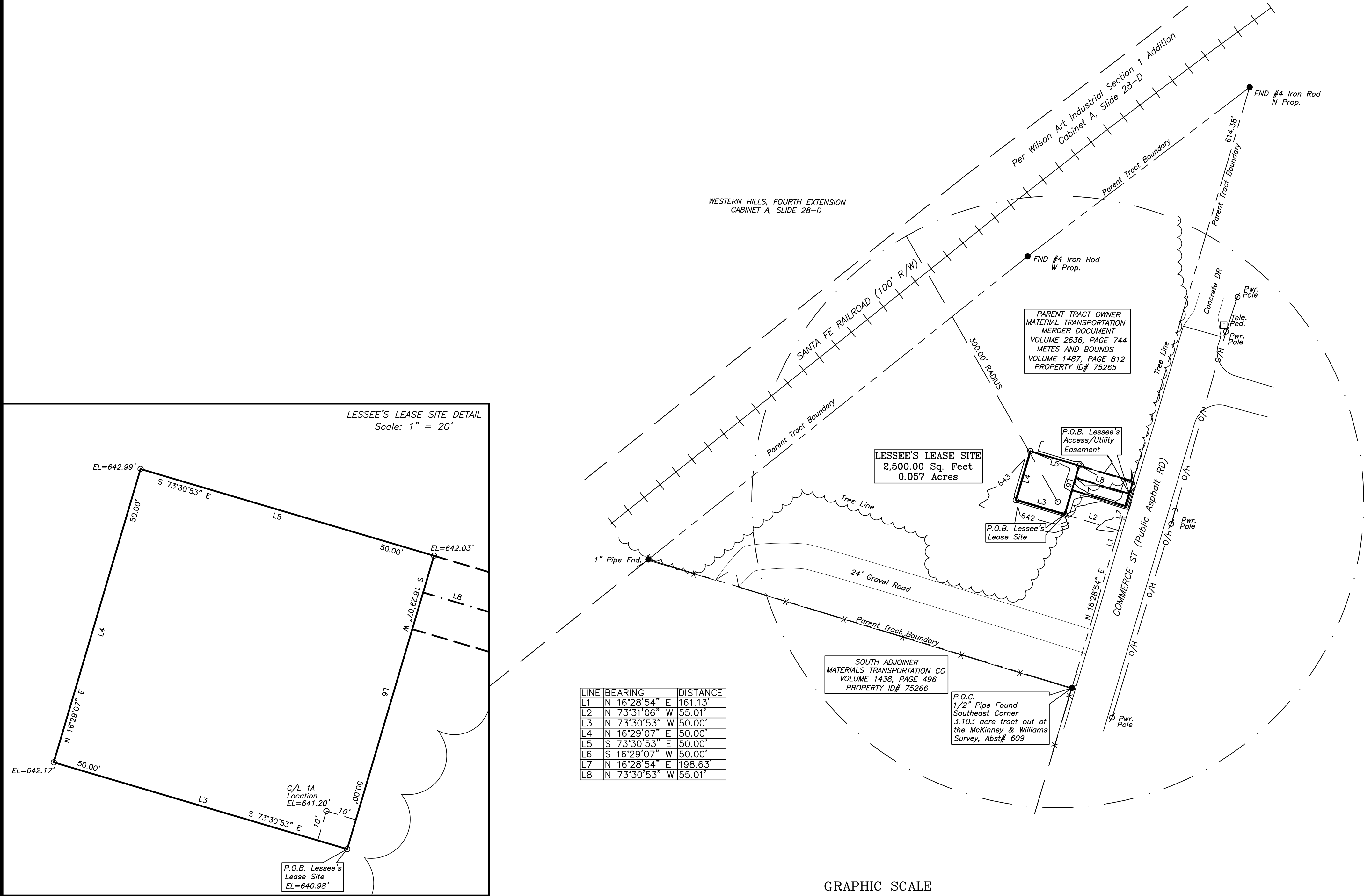
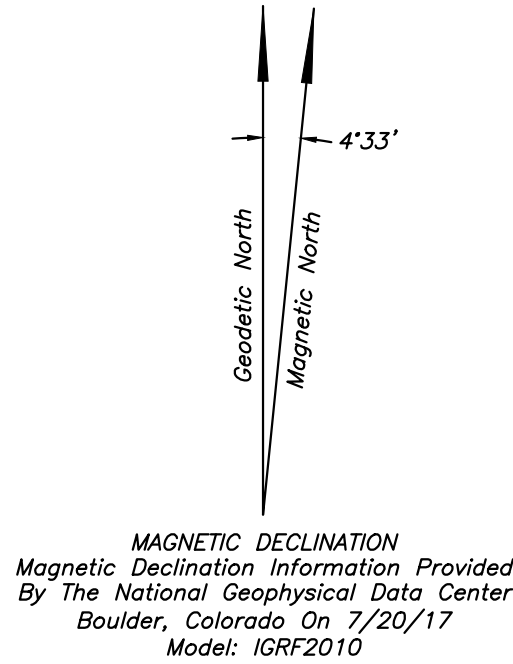
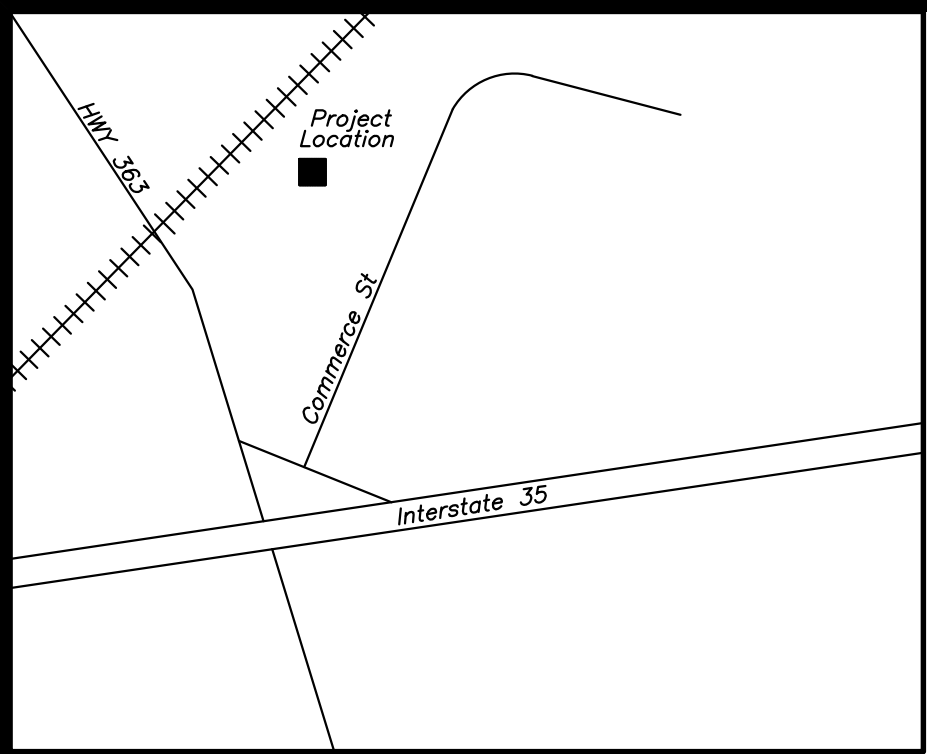


LTE: RSRP - Coverage (0)

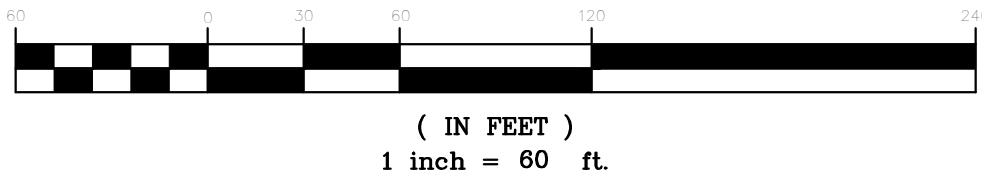
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- RSRP Level (DL) (dBm) ≥ -85
- RSRP Level (DL) (dBm) ≥ -95
- RSRP Level (DL) (dBm) ≥ -100
- RSRP Level (DL) (dBm) ≥ -105
- RSRP Level (DL) (dBm) ≥ -120

Surrounding site is breaking in capacity.
Need additional site to offload the overloaded sites.
Below is the graph of capacity measurements of surrounding site





LINE BEARING	DISTANCE
L1 N 16°28'54" E	161.13'
L2 N 73°31'06" W	55.01'
L3 N 73°30'53" W	50.00'
L4 N 16°29'07" E	50.00'
L5 S 73°30'53" E	50.00'
L6 S 16°29'07" W	50.00'
L7 N 16°28'54" E	198.63'
L8 N 73°30'53" W	55.01'



Unless Noted, All Data is Expressed in NAD83 & NAVD88			
LOCATION/DESCRIPTION	LATITUDE	LONGITUDE	ELEVATION
TOWER NAD83/NAVD88	31°05'43.727"	97°23'09.101"	641.20'
TOWER NAD27/NGVD29	31°05'43.083"	97°23'08.079"	640.98'

NOTE: 1A data taken from Lessee's Lease Site as shown by ties on drawing.

NO.	REVISION	DATE	BY	DATE SURVEYED:	DATE DRAFTED:
1.	FINAL SURVEY ISSUED TO CLIENT	10/10/17	GLH	7/20/17	7/26/17
				FIELD WORK: S.G.	OFFICE WORK: GLH
				CHK'D BY: K.R.W.	JOB NO.: 3010.1518
SCALE: 1" = 60'					

LEGEND	
☆ LIGHT POLE (U/G ELEC)	— G — GAS LINE
○ POWER POLE (O/H ELEC)	— T — TELEPHONE LINE
— GUY LINE	— TELEPHONE RISER
— O/H — OVERHEAD ELECTRIC	— SANITARY SEWER MANHOLE
— U/G — U/G ELECTRIC	— FENCE LINE
— W — WATER LINE	— STORM SEWER MANHOLE
— WATER METER	— MAG NAIL SET
— WATER VALVE	— IRON ROD SET
— D — STORM SEWER LINE	— IRON ROD FOUND

SURVEYOR:

Webb Surveying, Inc. Land Surveyors
3401 Ouster Road Phone: (972) 599-2300
Suite 139 Fax: (972) 599-2302
Plano, TX 75023 mail@webbsurveying.com

WORK COORDINATED BY:

H&S SURVEYING, INC.
Surveying and
Telecommunication Company
SERVING THE CENTRAL U.S.

201 N. BICKFORD, EL RENO, OK 73036
PH: (405) 282-0249 - FAX: (405) 282-5107
EMAIL: HSSURVEYING@AOL.COM

PREPARED FOR:

SURVEY OF:

IRA YOUNG

PREPARED FOR:

VERIZON WIRELESS
600 HIDDEN RIDGE, IRVING, TEXAS 75038

DRAWING NO.

SV-1

SHEET 1 OF 1

SURVEY OF A LESSEE'S LEASE SITE LYING IN PART OF A 3.103 ACRE TRACT OUT OF THE MCKINNEY & WILLIAMS SURVEY, ABSTRACT# 609 BELL COUNTY, TEXAS

PROPERTY DESCRIPTION PER PREVIOUSLY RECORDED LEGAL

PARENT TRACT DESCRIPTION
A tract of land lying in and being a part of the McKinney and Williams Survey, Abstract No. 609, in Bell County, Texas, and being out of and a part of that certain tract described as 53.95 acres in a deed from S.K. Hendler to Paul Anderson and of record in Vol. 536, Page 44 of the Deed Records of Bell County, Texas, and being more particularly described as follows:
BEGINNING at the northwest corner of that certain 4.207 acre tract described in a deed recorded in Vol. 1438, Page 496 of the Deed Records of Bell County, Texas, an iron pin in the east margin of the Santa Fe Railroad property for the southwest corner of this; THENCE along the east margin of said railroad N 53°24'41" E 476.83 ft. an iron pin; N 55°03'52" E 273.25 ft. an iron pin for the most northerly corner of this; THENCE S 18°39'59" W 614.28 ft. to an iron pipe at the northeast corner of a 2.3 acre tract and being the southeast corner of this; THENCE N 71° W 433.91 to the place of beginning, containing 3.103 acres.
(WARRANTY DEED AS RECORDED IN VOLUME 1487, PAGE 812, DEED RECORDS OF BELL COUNTY, TEXAS.)

SURVEY OF A LESSEE'S LEASE SITE LYING IN PART OF A 3.103 ACRE TRACT OUT OF THE MCKINNEY & WILLIAMS SURVEY, ABSTRACT# 609 BELL COUNTY, TEXAS

LESSEE'S LEASE SITE DESCRIPTION
A tract of land lying in and being a part of a 3.103 acre tract of land out of the McKinney and Williams Survey, Abstract Number 609, being further described in Volume 1487, Page 812, Deed Records of Bell County, Texas; Said tract being more particularly described as follows:
Commencing at a 1/2" pipe found for the Southeast corner of said 3.103 acre tract; Thence N 16°28'54" E on the East line of said 3.103 acre tract, a distance of 161.13 feet to a point; Thence N 73°31'06" W perpendicular to said East line, a distance of 55.01 feet to a 1/2" Iron Rod with cap set for the Southeast corner, said corner being the Point of Beginning; Thence N 73°30'53" W a distance of 50.00 feet to a 1/2" Iron Rod with cap set for the Southwest corner; Thence N 16°29'07" E a distance of 50.00 feet to a 1/2" Iron Rod with cap set for the Northwest corner; Thence S 73°30'53" E a distance of 50.00 feet to a 1/2" Iron Rod with cap set for the Northeast corner; Thence S 16°29'07" W a distance of 50.00 feet to the Point of Beginning, containing 2,500.00 square feet or 0.057 acres, more or less.

LESSEE'S ACCESS/UTILITY EASEMENT
A 30.00 foot wide easement for ingress, egress and utility purposes crossing a part of a 3.103 acre tract of land out of the McKinney and Williams Survey, Abstract Number 609, being further described in Volume 1487, Page 812, Deed Records of Bell County, Texas; Said easement being 15.00 feet on each side of the following described centerline:
Commencing at a 1/2" pipe found for the Southeast corner of said 3.103 acre tract; Thence N 16°28'54" E on the East line of said 3.103 acre tract, a distance of 198.63 feet to a point on said East line, said point being the Point of Beginning; Thence N 73°30'53" W a distance of 55.01 feet to the point of termination on the East line of the 0.057 acre Lessee's Lease Site. Sidelines of said easement to be shortened or extended such as to begin on the East Parent Tract Boundary line and being the West Public Right of Way line of Commerce Street and terminate on the East line of the 0.057 acre Lessee's Lease Site.

I, Kurtis R. Webb, a Registered Professional Land Surveyor licensed under the laws of the State of Texas, hereby certify that this survey (i) was made on the ground on July 20, 2017 for Verizon Wireless and Winstead PC, (ii) correctly shows the subject property and the location of easements, ROW and set back lines thereon that are visible or reflected on Abtractor's Certificate Number 32771-Verizon Wireless with an effective date of August 14, 2017, (iii) reflects the conditions found at the time of survey, (iv) except as shown hereon, reflects no encroachments or overlapping of improvements, and (v) that this survey conforms with the current Texas Society of Professional Surveyor's Category 3, Condition II survey criteria.

Kurtis R. Webb, TX RPLS #4125

10/10/17

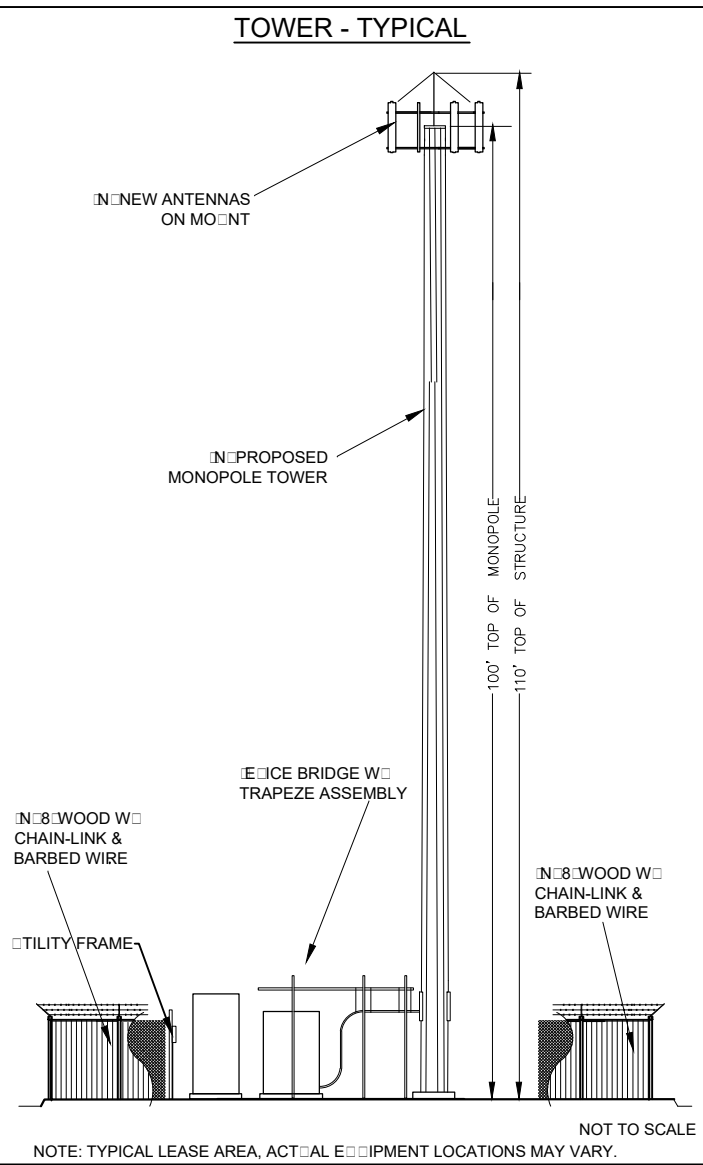
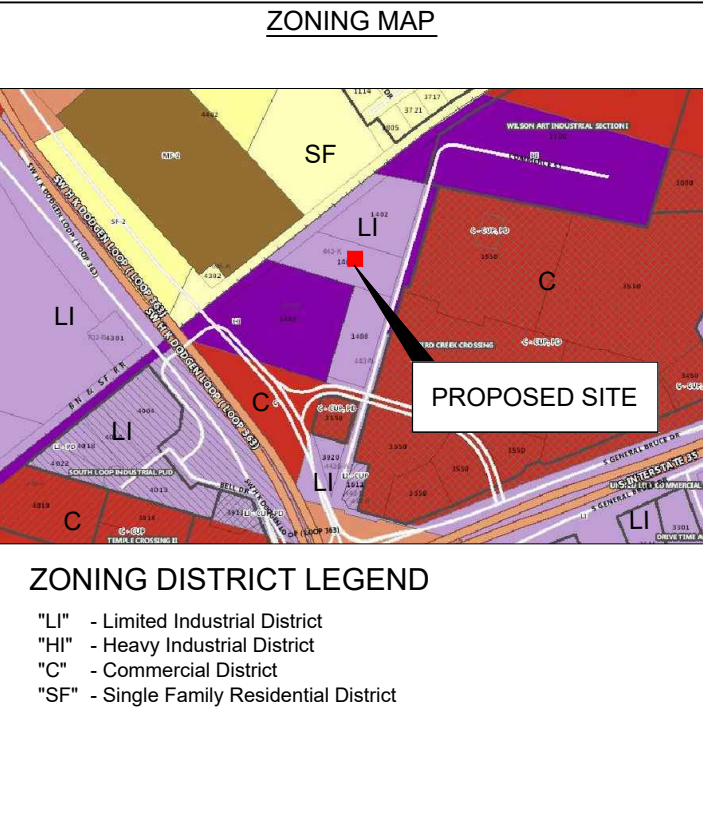
Date

- NOTES CONCERNING SURVEY:**
- 1: This survey was based on an Abtractor's Certificate provided by: Precise Land Records
File No.: 32771-Verizon Wireless
Effective Date: August 14, 2017
 - 2: Bearings shown hereon are based on the Texas State Plane Coordinate System, Texas Central Zone, NAD83 Datum.
 - 3: The elevations shown hereon are based on the NAVD88 Datum.
 - 4: The latitude and longitude shown hereon are based on the NAD83 Datum and meet or exceed the minimum requirements for a FCC/FAA 1A survey which is defined as plus or minus 20 feet horizontal and plus or minus 3 feet vertical. This information was established and determined by GPS on 7/20/2017.
 - 5: The Lessee's Lease site shown on this survey DOES NOT lie within the 100 year Flood plain and is located within the Flood Zone "X" per the Federal Emergency Management Agency (FEMA) as shown on the Flood Insurance Rate Map (FIRM), Community Panel Number 48027C 0335E, which bears an effective date of September 26, 2008. Flood Zone determination is made through graphic plotting only and no other responsibility is herein assumed for accuracy of the base flood elevation or flood zone areas shown on the FIRM.
 - 6: This survey does not provide any determination concerning wetlands, fault lines, toxic waste or any other environmental issues. Such matters should be directed to an expert consultant.
 - 7: There may be additional buried or underground utilities in the area which the surveyor is unaware of and no liability for such is assumed herein. TEXAS ONE CALL SYSTEM (1-800-245-4545)
 - 8: THIS IS NOT A BOUNDARY SURVEY OF THE PARENT TRACT.

- Precise Land Records
File No.: 32771-Verizon Wireless
Effective Date: August 14, 2017
- EASEMENTS:**
1. Right of Way Dedication dated June 4, 1963 and filed June 24, 1964 to the public and recorded in Volume 897, page 557.
(DOES NOT AFFECT the Parent Tract, Lessee's Lease Site or its Easement.)
 2. Right of Way Dedication dated August 2, 1977 and filed October 26, 1977 to the public and recorded in Volume 1487, Page 787.
(DOES NOT AFFECT the Parent Tract, Lessee's Lease Site or its Easement.)
 3. Agreement dated June 19, 1977 and filed October 26, 1977 between Dart Industries, Inc. and Mohawk Equipment Company and recorded in Volume 1487, Page 831.
(DOES NOT AFFECT the Parent Tract, Lessee's Lease Site or its Easement.)
 4. Easement Deed by Court Order in Settlement of Landowner Action dated February 12, 2015 and filed July 27, 2015 and recorded in Document No. 2015-00028256.
(DOES AFFECT the Parent Tract as a blanket document in nature and the exact location is not plottable.)

Bearings Based on T.S.P.C.
Established GPS on: 7/20/17
Datum: Horz: NAD83 Texas Central Zone
Vert: Geoid 96

911 ADDRESS: 1402 A COMMERCE STREET, TEMPLE, TX 76503



CONDITIONAL USE PERMIT

SITE INFORMATION

JURISDICTION: CITY OF TEMPLE, TEXAS 76503
BELL COUNTY
Latitude 31°05'43.727"N, Longitude - 97°23'09.101"W
OCCUPANCY: N/A (UNMANNED)
USE: TELECOMMUNICATIONS FACILITY
ZONING FILE NO.: NA

PROJECT TYPE

100' MONOPOLE TOWER SITE

SITE NAME:

IRA YOUNG /VERIZON
- SITE LOCATED IN 'LI' ZONING
- SITE NOT LOCATED IN IH 35 CORRIDOR (MONOPOLE)

DATE

OCTOBER 16, 2017

CONTACT INFORMATION

VINCENT GERARD & ASSOCIATES
1715 S. CAPITAL OF TEXAS HWY
SUITE 207
AUSTIN, TEXAS 78746
PHONE: (512) 328-2693

VINCE HUEBINGER

SITE ADDRESS

1402 A COMMERCE STREET
TEMPLE, TX., 76503

LEGAL DESCRIPTION

A0609BC MCKINNEY & WILLIAMS
OB 443, ACRES 3.103
BELL COUNTY, TEXAS

CONSULTANTS

VINCENT GERARD & ASSOCIATES
1715 S. CAPITAL OF TEXAS HWY
SUITE 207
AUSTIN, TEXAS 78746
PHONE: (512) 328-2693

VINCE HUEBINGER

CARRIER INFORMATION

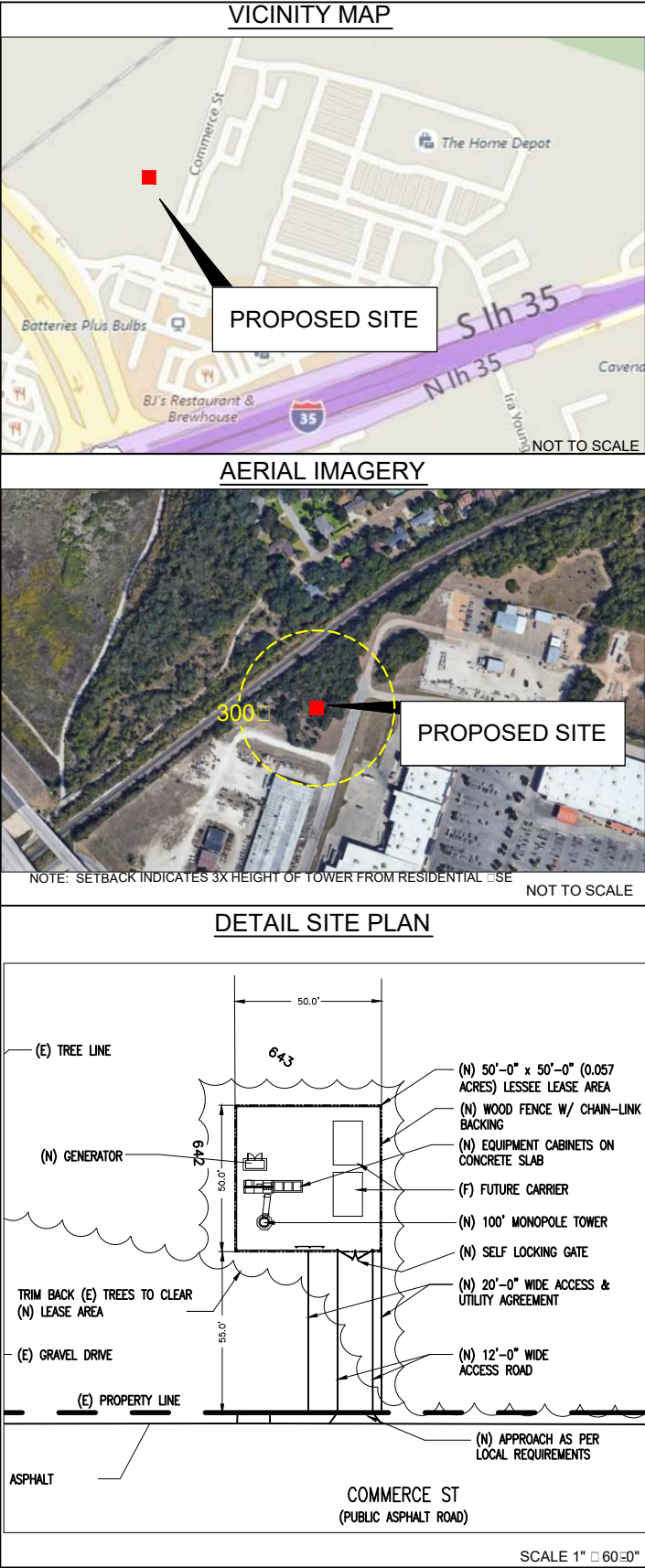
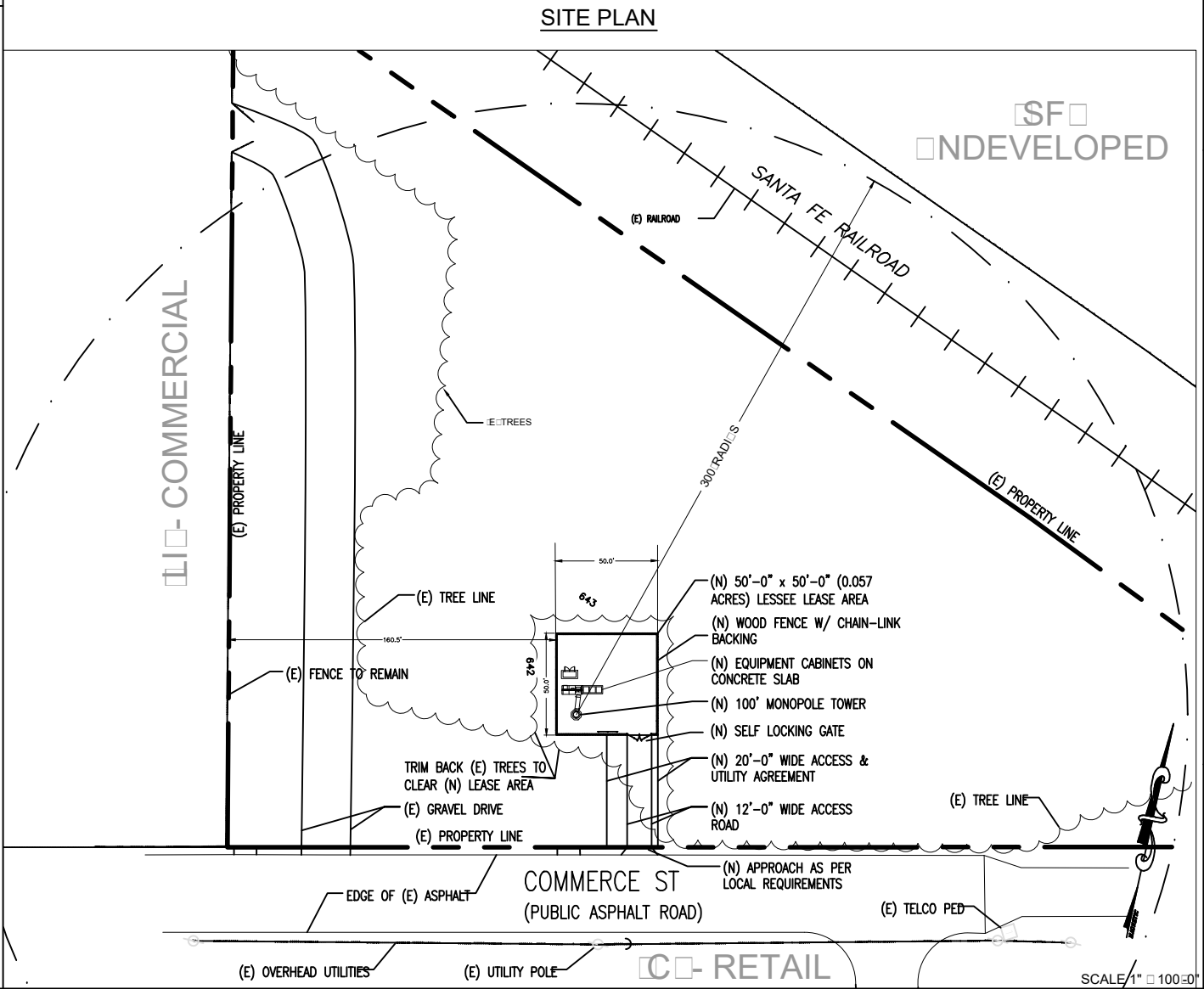
VERIZON WIRELESS

AMANDA EASTIN
MNG., REAL ESTATE & REGULATORY
6696 TRI COUNTY PARKWAY, SUITE 100
SCHERTZ, TX 78154
PHONE: (210) 339-2644
EMAIL: amanda.eastin@vzw.com

ZONING SITE PLAN

ADVERTISING IS PROHIBITED ANYWHERE ON A WTF, WITH THE EXCEPTION OF THE MINIMUM SIGNAGE AS REQUIRED BY THE FEDERAL COMMUNICATIONS COMMISSION. FCC REGULATIONS OR NECESSARY FOR THE OPERATIONS OF A WTF.

AN IDENTIFICATION SIGN FOR EACH SERVICE PROVIDER RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF A WTF AT THE SITE, NOT LARGER THAN TWO SQUARE FEET, SHALL BE POSTED AT A LOCATION FROM WHICH IT CAN BE EASILY READ FROM OUTSIDE THE PERIMETER OF THE WTF, AND SHALL PROVIDE THE NAME, ADDRESS, AND EMERGENCY NUMBER OF THE RESPONSIBLE SERVICE PROVIDER.



APPROVAL BOX

ORIGINAL SUBMITTAL DATE: _____

ACCEPTED FOR APPROVAL: _____

CITY OF TEMPLE, TEXAS

verizonwireless

ZONING SITE PLAN

IRA YOUNG

VERIZON COMMUNICATIONS

1402 A COMMERCE STREET

TEMPLE, TEXAS 76503

VINCENT GERARD & ASSOCIATES

LAND PLANNING & ZONING CONSULTANTS

1715 CAPITAL OF TEXAS HWY SUITE 207

AUSTIN, TEXAS 78746

(512) 328-2693 - vvincent@vash.net

ORDINANCE NO. _____
(Z-FY-18-01)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A CONDITIONAL USE PERMIT FOR A PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY INCLUDING A NEW 100-FOOT MONOPOLE TOWER, TO BE LOCATED ON AN APPROXIMATELY 3.103 ACRE TRACT OF LAND OUT OF THE MCKINNEY AND WILLIAMS SURVEY, ABSTRACT NO. 609, BELL COUNTY, TEXAS, AND LOCATED AT 1402-A COMMERCE STREET; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant has requested a Conditional Use Permit (CUP) for a personal use wireless service facility including a 100-foot wireless monopole tower on property currently zoned Light Industrial and Heavy Industrial;

Whereas, although the use is allowed in the property's existing Light Industrial and Heavy Industrial zoning districts, the proposed site does not meet the distance separation of 1000 feet from the nearest residential use or zoning district, per Unified Development Code Section 5.4.4 and therefore a CUP is required;

Whereas, the Comprehensive Zoning Ordinance of the City of Temple, Texas, provides for the issuance of conditional use permits under certain conditions and authorizes the City Council to impose such developmental standards and safeguards as the conditions and locations indicate to be important to the welfare or protection of adjacent property and for the protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions, and for the establishment of conditions of operation, time limits, location, arrangement and construction for any use for which a permit is authorized;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions and operation of said property being a part of an approximately 3.103 acre tract of land out of the McKinney and Williams Survey, Abstract No. 609, Bell County, Texas, and located at 1402-A Commerce Street, recommends that the City Council approve the application for this Conditional Use Permit for a proposed wireless telecommunications facility; and

Whereas, the City Council of the City of Temple, Texas, after public notice as required by law, has at a public hearing, carefully considered all the evidence submitted by the applicant concerning the proposed plans and has heard the comments and evidence presented by all persons supporting or opposing this application at said public hearing, and after examining the conditions, operation and the location of said establishment, finds that the proposed use of the premises substantially complies with the comprehensive plan and the area plan adopted by the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: The City Council approves a Conditional Use Permit (CUP) for a proposed wireless telecommunications facility, including a new 100-foot monopole tower, to be located on an approximately 3.103 acre tract of land out of the McKinney and Williams Survey, Abstract No. 609, Bell County, Texas, and located at 1402-A Commerce Street, more fully described in the aerial map attached hereto as Exhibit 'A', and the CUP attached hereto as Exhibit 'B,' and both made a part hereof for all purposes.

Part 3: The owners/applicants, shall comply with following standards:

A. Boundary and Use Setbacks

1. A guy or guy anchor for a facility must not be closer than 20 feet to a bounding property line;
2. The distance between the base of a self-supported tower and the property line of any residential zoning district or use must not be less than 3 times the height of the tower structure;

B. Security Screening Fence

1. A solid, wood or masonry fence, a minimum of eight feet in height, must completely enclose the base of every tower;
2. In a residential zoning district or on property that abuts a residential zoning district or use, a solid wood or masonry fence, a minimum of eight feet in height, must completely enclose all mechanical equipment and accessory structures;
3. A security screening fence for a facility built or permitted after May 17th, 2001, may not be less than 6 feet in height;
4. A security fence must be built to safely discourage unauthorized access to facilities by climbing;
5. External and internal gates and doors that provide access to a facility must be equipped with a self-locking or self-latching mechanism for purposes of preventing unauthorized access;
6. Screening is not required for a facility located on a building that is not designed or built primarily to support the facility, if the ancillary equipment, including but not limited to the equipment enclosure, is not visible from an abutting property line or public street right-of-way;

C. Screening

1. As much of the total facility as possible must be screened or located so as to not be visible from prevalent views;

2. Landscaping must be continuously maintained in a healthy, growing condition and be trimmed as necessary to comply with ordinances governing height of grass, corner sight obstruction and street and sidewalk obstruction;

D. Collocation

A new freestanding tower is not permitted unless the applicant demonstrates to the satisfaction of the approving authority that existing, permitted or proposed alternative support structures cannot accommodate the proposed facilities for the following reasons:

1. Height is not sufficient to meet applicant's engineering requirements;
2. Structural strength is not sufficient to support applicant's proposed facilities and cannot be reinforced in accordance with engineering requirements;
3. Other aspects of the structure do not meet applicant's technical design requirements;
4. Electromagnetic interference would result from collocation;
5. Fees or costs for sharing or adapting are unreasonable; any cost that is less than the cost to construct and develop a new tower is presumed to be reasonable;
6. Owners of alternative structures are unwilling to accommodate the applicant's needs within 30 days after the date such owners received applicant's written request; or
7. Other factors render alternative support structures unsuitable;

Part 4: The Director of Planning is hereby directed to make the necessary changes to the City Zoning Map accordingly.

Part 5: The declarations, determinations and findings declared, made and found in the preamble of this ordinance are hereby adopted, restated and made a part of the operative provisions hereof.

Part 6: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 7: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 8: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **18th** day of **January**, 2018.

PASSED AND APPROVED on Second Reading on the **1st** day of **February**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



CITY COUNCIL ITEM MEMORANDUM

01/18/18
Item #15
Regular Agenda
Page 1 of 1

DEPARTMENT / DIVISION SUBMISSION & REVIEW:

Lynn Barrett, Assistant Planning Director

ITEM DESCRIPTION: FIRST READING - PUBLIC HEARING - A-FY-18-01: Consider adopting an ordinance authorizing an abandonment and conveyance of approximately .08 acres of the 35 foot wide ROW along the last 99 feet of Katy Street south of Downs Avenue where it dead-ends into the Hilliard Distributing property in the Moore's Park Addition, City of Temple, Bell County, Texas.

STAFF RECOMMENDATION: Staff recommends approval of the applicant's requested ROW abandonment as submitted and described in the item description.

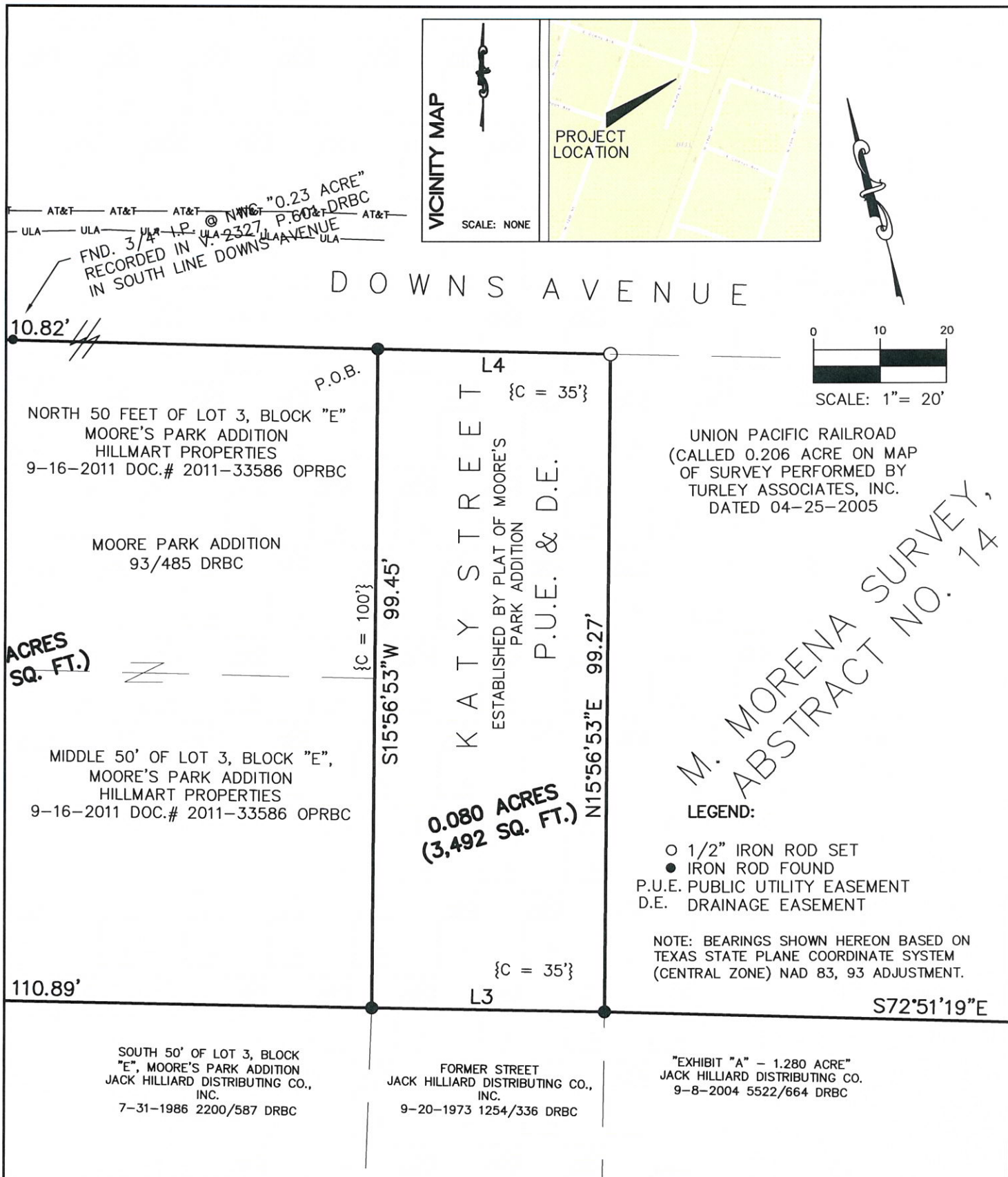
ITEM SUMMARY: The applicant, Jack Hilliard, requests abandonment and conveyance of all of the 35 foot wide ROW South of Downs Avenue, approximately 99 feet in length — approximately .08 acres. The applicant owns the property bounding the west side and south of the strip, with the Union Pacific Railroad owning property to the east. If the requested sale is approved, Mr. Hilliard proposes to continue using the old street as a driveway and gate the entrance at its intersection with Downs Avenue.

Planning staff contacted all utility providers, including the City Public Works Department, regarding the proposed ROW abandonment. All providers and city staff confirmed that the street may be conveyed but requested reserving utility and drainage easements, as one of the providers' responses indicated existing public telephone utility infrastructure along the east side, and the city has an existing sewer line in the ROW as well.

FISCAL IMPACT: Upon approval, the applicant proposes to purchase the abandoned street right-of-way at the fair market value of \$1,000-\$1,500, as recommended by a 3rd party broker's opinion. Staff recommends a purchase price of \$1,250. Proceeds received will be deposited into account 110-0000-461-0423, Sale of Land.

ATTACHMENTS:

[Location Map and Survey](#)
[Appraisal](#)
[Ordinance](#)



THIS IS TO CERTIFY THAT, ON THIS DATE, A TRUE AND ACCURATE SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION OF A PORTION OF KATY STREET LOCATED IN TEMPLE, SITUATED IN BELL COUNTY, TEXAS, CREATED BY THE APPROVAL OF MOORE'S PARK ADDITION TO THE CITY OF TEMPLE, PLAT OF WHICH IS RECORDED IN VOLUME 93, PAGE 485, DEED RECORDS OF BELL COUNTY.

NOTE: NO TITLE COMMITMENT SUPPLIED OR REVIEWED FOR THIS PROJECT. PARTIES TO THIS TRANSACTION ARE RESPONSIBLE FOR VERIFICATION OF ALL EASEMENTS, COVENANTS AND CONDITIONS WHICH MAY AFFECT THIS TRACT BUT ARE NOT SHOWN HEREON.

TO: HILLIARD DISTRIBUTING COMPANY
RE: SURVEY OF A PORTION OF KATY STREET, PROJ. NO. 17-696

SURVEYORS CERTIFICATE

THE PLAT SHOWN HEREON IS A TRUE, CORRECT AND ACCURATE REPRESENTATION OF THE PROPERTY AS DETERMINED BY SURVEY, THE LINES AND DIMENSIONS OF SAID PROPERTY BEING AS INDICATED BY THE PLAT; THE SIZE, LOCATION AND TYPE OF BUILDINGS ARE AS SHOWN, ALL IMPROVEMENTS BEING WITHIN THE BOUNDARIES OF THE PROPERTY, SET BACK FROM THE PROPERTY LINES THE DISTANCES INDICATED. THERE ARE NO ENCROACHMENTS, CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN HEREON, AND SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

DATE: SEPTEMBER 2017



BRYAN TECHNICAL SERVICES, INC.



911 NORTH MAIN
TAYLOR, TX 76774

PHONE: (512) 352-9090
FAX: (512) 352-9091

FIRM No. 10128500

surveying@austin.rr.com
bryantechnicalservices.com



July 31, 2017

Brian Chandler
Director of Planning
City of Temple
2 N. Main Street
Temple, Texas 76501

RE: .0824 Street Parcel, Temple, Texas

Dear Mr. Chandler,

Pursuant to the city's request, please let this letter serve as my opinion of value for a 0.0824 +/- acre tract at the intersection Downs Avenue and Katy Street in NE Temple. Based on my review of recently sold and currently available properties, along with my general understanding of the real estate market in the greater Temple, Texas area, I believe the property has a value in the range of \$1,000 to \$1,500.

Please note that I personally inspected the property, but that I am not a participant in the proposed sale of the property to Jack Hilliard Dist., Inc. My basis for this letter is that of a licensed real estate broker in the state of Texas, actively working within the real estate market of the subject property. This is solely my professional, independent opinion.

Should you have any questions or need anything further, please let me know.

Sincerely,

Bobby Spradley
Broker

DISCLAIMER: THIS IS AN OPINION OF VALUE AND SHOULD NOT BE CONSIDERED AN APPRAISAL. I have not followed the Uniform Standards of Professional Appraisal Practice guidelines in reaching the value estimate shown. If an appraisal of the property is performed under USPAP, the value conclusions could be different than indicated herein. Neither Bobby Spradley nor Spradley Properties will be held liable for any claims or loss as a result of the information contained herein. The information contained herein is based on my general understanding of the real estate market in the greater Temple, Texas area, but has not been independently verified. Any projections, opinions, assumptions or estimations are for example only and do not necessarily represent the current or future sale price of the property. This opinion of value is based upon certain salient (and sometimes limited) information and is not intended to constitute an "appraisal" of the property.

ORDINANCE NO. _____
(A-FY-18-01)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING ABANDONMENT AND CONVEYANCE OF APPROXIMATELY .08 ACRES OF THE 35-FOOT WIDE RIGHT OF WAY ALONG THE LAST 99 FEET OF KATY STREET SOUTH OF DOWNS AVENUE WHERE IT DEAD-ENDS INTO THE HILLIARD DISTRIBUTING PROPERTY IN THE MOORE'S PARK ADDITION, CITY OF TEMPLE, BELL COUNTY, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant, Jack Hilliard, requests abandonment and conveyance of all of the 35-foot wide right of way south of Downs Avenue, approximately 99 feet in length and approximately .08 acres, and more particularly described in Exhibit A, attached hereto and made a part hereof for all purposes;

Whereas, the applicant owns the property bounding the west side and south of the strip, with the Union Pacific Railroad owning the property to the east - if the requested sale is approved, applicant proposes to continue using the old street as a driveway and gate the entrance at its intersection with Downs Avenue;

Whereas, Staff contacted all public and private utility service providers, including the Public Works Department, and confirmed that the street may be abandoned and conveyed, but requests reserving utility and drainage easements, as one of the providers' responses indicated existing public telephone utility infrastructure along the east side, and the City has an existing sewer line in the right of way;

Whereas, upon approval, the applicant proposes to purchase the abandoned street right-of-way at the fair market value of \$1,000-\$1,500, as recommended by a 3rd party broker's opinion;

Whereas, Staff recommends a purchase price of \$1,250 – proceeds received will be deposited into Account No. 110-0000-461-0423; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this abandonment.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: The City of Temple, Texas authorizes the abandonment and conveyance of approximately .08 acres of the 35-foot wide right of way along the last 99 feet of Katy Street south of Downs Avenue where it dead-ends into the Hilliard Distributing property in the Moore's Park Addition, City of Temple, Bell County, Texas, and more particularly described in Exhibit A.

Part 3: The City reserves a public utility and drainage easement in the abandoned right of way;

Part 4: Upon request, the City of Temple will provide a copy of this Ordinance and any other evidence of abandonment, which may be reasonably required.

Part 5: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 6: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 7: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **18th** day of **January**, 2018.

PASSED AND APPROVED on Second Reading on the **1st** day of **February**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney

STATE OF TEXAS §

COUNTY OF BELL §

 This instrument was acknowledged before me on the _____ day of _____,
2018, by Daniel A. Dunn, Mayor of the City of Temple, Texas.

Notary Public, State of Texas

Return Recorded Document to:

*City Attorney's Office
2 North Main Street, Suite 308
Temple, TX 76501*



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution approving a Tax Abatement Agreement with Palladio Industries, Inc. which will cover increases in the taxable value of real property on an approximately 21.193 acre tract of land located at 2114 Trino Road, Temple, Texas and within Tax Abatement Reinvestment Zone Number 36.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The proposed resolution would authorize an agreement with Palladio Industries, Inc. ("Palladio") which, if approved, gives the company five years of tax abatement on the increased taxable value of real property improvements on land consisting of approximately 21.193 acres and located at 2114 Trino Road, Temple.

The proposed agreement covers approximately 21.193 acres of land that has been designated as City of Temple Tax Abatement Reinvestment Zone Number 36. Palladio plans to construct a new chemical manufacturing facility and associated offices for the production of products utilized in water intensive applications. The agreement provides that the tax abatement period commences in the first full calendar year after the required improvements are completed. Palladio would receive 50% tax abatement for five years.

Palladio timely filed an application to receive tax abatement on improvements to real property proposed for the site. On January 18, 2018, the City Council will consider, on second reading, an ordinance designating the property on which the improvements will be located as Tax Abatement Reinvestment Zone Number 36. Palladio estimates that its investment will be approximately \$3,000,000 in real property improvements. The actual value of the improvements, and the value of the City's tax abatement, is dependent on appraisal by the Bell County Appraisal District. The new facility will house approximately 30 employees.

The City's Economic Development Policy sets out the criteria and guidelines for granting tax abatement. Palladio's application meets the standards for granting tax abatement on the increase in real property improvements established by the City's Criteria and Guidelines for tax abatement. The improvements proposed meet the minimum criteria established for tax abatement consideration and meet the requirements for 50% tax abatement. The proposed improvements fall within the definition of "eligible facilities" in the criteria.

Staff has provided the other taxing entities involved with notice and a copy of the proposed agreement. Additionally, the agreement has all of the other terms required by Chapter 312 of the Texas Tax Code for tax abatement agreements, including provisions: (1) listing the kind and number of improvements; (2) providing for inspections of the facility by the taxing entities; (3) requiring compliance with State and local laws; (4) recapturing abated taxes in the event of a default under the agreement; and (5) requiring Palladio to annually certify to all the taxing entities that it is in compliance with all of the terms and conditions of the agreement.

FISCAL IMPACT: The tax abatement agreement with Palladio Industries, Inc. would have the potential of abating approximately \$50,790 in property taxes over the life of the agreement using the City's current tax rate of \$0.6772 per \$100 value. This amount is based on an estimated increase in the appraised value of real property improvements of \$3,000,000 over a five year period with a 50% tax abatement.

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE A TAX ABATEMENT AGREEMENT WITH PALLADIO INDUSTRIES, INC. WHICH WILL COVER INCREASES IN THE TAXABLE VALUE OF REAL PROPERTY ON AN APPROXIMATELY 21.193 ACRE TRACT OF LAND LOCATED AT 2114 TRINO ROAD, TEMPLE, TEXAS AND WITHIN TAX ABATEMENT REINVESTMENT ZONE NUMBER THIRTY-SIX; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City adopted a Resolution dated June 15, 1989, stating that it elects to be eligible to participate in tax abatement;

Whereas, on July 7, 2016, the City Council adopted Ordinance No. 2016-4783, establishing a comprehensive economic development policy for the City of Temple, which policy includes criteria and guidelines for granting tax abatement within the City of Temple in accordance with Chapter 312 of the Tax Code;

Whereas, the proposed agreement covers approximately 21.193 acres of land that has been designated as City of Temple Tax Abatement Reinvestment Zone Number 36 - Palladio Industries, Inc. ("Palladio") plans to construct a new chemical manufacturing facility and associated offices for the production of products utilized in water intensive applications;

Whereas, the agreement provides that the tax abatement period commence in the first full calendar year after the required improvements are completed - Palladio would receive 50% tax abatement for five years;

Whereas, Palladio timely filed an application to receive tax abatement on improvements to real property proposed for the site and estimates that its investment will be approximately \$3,000,000 in real property improvements;

Whereas, the actual value of the improvements, and the value of the City's tax abatement, is dependent on appraisal by the Bell County Appraisal District – the new facility will house approximately 30 employees;

Whereas, the City's Economic Development Policy sets out the criteria and guidelines for granting tax abatement - Palladio's application meets the standards for granting tax abatement on the increase in real property improvements established by the City's Criteria and Guidelines for tax abatement;

Whereas, the improvements proposed meet the minimum criteria established for tax abatement consideration and meet the requirements for 50% tax abatement - the proposed improvements fall within the definition of "eligible facilities" in the criteria;

Whereas, Staff has provided all taxing entities involved with notice and a copy of the proposed agreement which incorporates all of the other terms required by Chapter 312 of the Texas Tax Code for tax abatement agreements, including provisions: (1) listing the kind and number of improvements; (2) providing for inspections of the facility by the taxing entities; (3) requiring compliance with State and local laws; (4) recapturing abated taxes in the event of a default under the agreement; and (5) requiring Palladio to annually certify to all the taxing entities that it is in compliance with all of the terms and conditions of the agreement;

Whereas, the tax abatement agreement with Palladio Industries, Inc. would have the potential of abating approximately \$50,790 in property taxes over the life of the agreement using the City's current tax rate of \$0.6772 per \$100 value - this amount is based on an estimated increase in the appraised value of real property improvements of \$3,000,000 over a 5-year period with a 50% tax abatement; and

Whereas, the City Council has considered the matter and finds that the proposed tax abatement with Palladio Industries, Inc. is in compliance with State law and the City's *Guidelines and Criteria* governing tax abatement, and that the proposed improvements by said company are feasible and likely to attract major investment and expand employment within the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The Mayor is authorized to execute a tax abatement agreement, after approval as to form by the City Attorney, with Palladio Industries, Inc. which will cover increases in the taxable value of real property on an approximately 21.193 acre tract of land located at 2114 Trino Road, Temple, Texas and within Tax Abatement Reinvestment Zone Number 36.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 18th day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT. / DIVISION SUBMISSION & REVIEW:

Brynn Myers, Interim City Manager
Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Development Agreement with Habitat for Humanity for fee waivers and cost share participation in public improvements in support of the Homeless Veterans Community Project located at 1880 East Avenue N and 1921 Hope Street.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The proposed resolution would allow the City Manager to enter into a Development Agreement with Habitat for Humanity, through which the City would provide incentives in support of the Habitat for Humanity's Homeless Veterans Community Project.

This incentive package would be in the form of a Developer Participation Agreement as authorized under Chapter 212 of the Local Government Code. Chapter 212, Section 212.071 allows the City to contract with a developer to construct public improvements related to a development. Under this State law, the City's contribution is limited to 30% of the total contract price for public improvements.

Summary of Proposed Incentives

1. Waiver of the following fees:
 - a. Building permit fees (total estimated in the amount of \$2,500 for 13 duplexes)
 - b. Water and sewer tap fees (total estimated in the amount of \$26,000 for 13 duplexes)
 - c. Park fees (total estimated in the amount of \$6,075 for 27 lots)
2. Cost share participation in the following public improvements:
 - a. Street infrastructure construction in the amount of 30% of the cost of improvements, not to exceed \$15,000.
 - b. Water infrastructure construction in the amount of 30% of the cost of improvements, not to exceed \$15,000.
 - c. Sewer infrastructure construction in the amount of 30% of the cost of improvements, not to exceed \$15,000.

The above proposed incentive package represents a total estimated incentive value of \$79,575 or \$3,060 per unit.

As part of the agreement, Habitat will construct a 13 unit/ 26 home development and community center. The applicant envisions that the properties would be purchased by veterans.

In order to receive assistance, the applicant must enter into a development agreement with the City prior to commencing work. The agreement shall provide that the applicant agrees to:

- complete the work and total capital investment described in the agreement in a timely fashion;
- give the City the right to inspect the work described in the development agreement and the financial records associated with the same during reasonable business hours;
- perform all of the work described in the agreement in accordance with all applicable City codes and regulations; and
- maintain those improvements in the future.

FISCAL IMPACT: Funding for the cost sharing participation portion of the development agreement with Habitat for Humanity for the construction street, water and sewer infrastructure in an amount not to exceed \$45,000 is available in project 101818 as shown below:

	<u>365-3400-531-6884</u>	<u>520-5000-535-6370</u>	<u>Total</u>
Budget	\$ 15,000	\$ 30,000	\$ 45,000
Encumbered/Committed to Date	-	-	-
Habitat for Humanity	(15,000)	(30,000)	(45,000)
Remaining Project Funds	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

The City will also waive building permit fees, water and sewer tap fees, and park fees in a total amount of \$34,575 for a total incentive package of \$79,575.

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A DEVELOPMENT AGREEMENT WITH HABITAT FOR HUMANITY FOR FEE WAIVERS AND COST SHARE PARTICIPATION FOR PUBLIC IMPROVEMENTS IN SUPPORT OF THE HOMELESS VETERANS COMMUNITY PROJECT LOCATED AT 1880 EAST AVENUE N AND 1921 HOPE STREET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Chapter 212, Section 212.071 of the Local Government Code, allows the City to contract with a developer to construct public improvements related to a development - under this State law, the City's contribution is limited to 30% of the total contract price for public improvements;

Whereas, Staff recommends Council authorize the City Manager to enter into a Development Agreement with Habitat for Humanity, through which the City would provide incentives in support of the Habitat for Humanity's Homeless Veterans Community Project as authorized by Chapter 212 of the Local Government Code;

Whereas, these proposed incentives would include the following:

1. Waiver of the following fees:
 - a. Building permit fees (total estimated in the amount of \$2,500 for 13 duplexes);
 - b. Water and sewer tap fees (total estimated in the amount of \$26,000 for 13 duplexes);
 - c. Park fees (total estimated in the amount of \$6,075 for 27 lots);
2. Cost share participation in the following public improvements:
 - a. Street infrastructure construction in the amount of 30% of the cost of improvements, not to exceed \$15,000;
 - b. Water infrastructure construction in the amount of 30% of the cost of improvements, not to exceed \$15,000;
 - c. Sewer infrastructure construction in the amount of 30% of the cost of improvements, not to exceed \$15,000;

Whereas, the above proposed incentive package represents a total estimated incentive value of \$79,575 or \$3,060 per unit;

Whereas, as part of the Development Agreement, Habitat for Humanity will construct a 13 unit/26 home development and community center;

Whereas, in order to receive assistance, Habitat for Humanity must enter into a development agreement with the City prior to commencing work and the agreement shall provide that Habitat agrees to the following:

- complete the work and total capital investment described in the agreement in a timely fashion;
- give the City the right to inspect the work described in the development agreement and the financial records associated with the same during reasonable business hours;
- perform all of the work described in the agreement in accordance with all applicable City codes and regulations; and
- maintain those improvements in the future;

Whereas, funding for the cost sharing participation portion of the Development Agreement with Habitat for Humanity, is available in Account Nos. 365-3400-531-6884, and Account No. 520-5000-535-6370, Project No. 101818; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a Development Agreement with Habitat for Humanity for fee waivers and cost share participation in public improvements in support of the Homeless Veterans Community Project located at 1880 East Avenue N and 1921 Hope Street.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 16th day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT. / DIVISION SUBMISSION & REVIEW:

Mayor Daniel A. Dunn

ITEM DESCRIPTION: Consider adopting a resolution appointing Brynn Myers as City Manager and setting compensation for the position.

STAFF RECOMMENDATION: Consider adopting resolution as presented in item description.

ITEM SUMMARY: On February 28, 2017, Jonathan Graham submitted his letter of intent to retire as the City Manager of Temple effective close of business on Friday, June 23, 2017. On April 6, 2017, the City Council appointed Brynn Myers to serve as Interim City Manager following Mr. Graham's retirement.

The proposed resolution would appoint Ms. Myers to serve as permanent City Manager and sets her compensation at \$205,000 annually.

FISCAL IMPACT: Funding for the compensation is available in the FY 2018 Operating Budget.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPOINTING BRYNN MYERS AS CITY MANAGER, SETTING HER COMPENSATION FOR THE POSITION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on February 28, 2017, Jonathan Graham submitted his letter of intent to retire as City Manager of the City of Temple effective close of business Friday, June 23, 2017;

Whereas, on April 6, 2017, the City Council appointment Brynn Myers to serve as the Interim City Manager following Mr. Graham's retirement;

Whereas, Council confirms the appointment of Mrs. Myers as the City Manager of the city of Temple and sets her compensation at \$205,000 annually;

Whereas, funding for this appointment is available in the fiscal year 2018 Operating Budget; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council confirms the appointment of Brynn Myers as City Manager for the City of Temple and sets her compensation at \$205,000.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **18th** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney